### ACTS,

### RESOLUTIONS AND MEMORIALS,

PASSED AND ADOPTED BY THE

# LEGISLATIVE ASSEMBLY

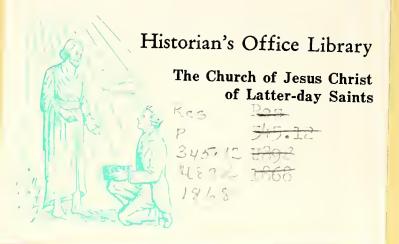
OF THE

TERRITORY OF UTAH.

SEVENTEENTH ANNUAL SESSION, 1868.

SALT LAKE CITY, U.T.

GEO, Q. CANNON, PUBLIC PRINTER.



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## ACTS,

### RESOLUTIONS AND MEMORIALS

PASSED AND ADOPTED DURING THE SEVENTEENTH ANNUAL SESSION

OF THE

# LEGISLATIVE ASSEMBLY

OF THE

#### TERRITORY OF UTAH.

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#### CHAPTER I.

An ACT to provide for convening the Legislative Assembly during the remaining thirty-nine days of its Seventeenth Annual Session.

Be it enacted by the Governor and Legislative Assembly of the Territory of Utah: That the Council and House of Representatives adjourn to meet to-morrow in the City Hall of Great Salt Lake City, at one p.m. of the 14th day of January, 1868, and there hold the remaining thirty-nine days of this their Seventeenth Annual Session; and that "An act to provide for convening the Seventeenth and subsequent Annual Sessions of the Legislative Assembly," "approved Jan. 8, 1867," is hereby repealed. This act is to be in force from and after its passage.

Approved Jan. 13, 1868.

CHAPTER II.

An ACT changing the name of Richland County to Rich County.

Be it enacted by the Governor and Legislative Assembly of the Territory of Utah: That the name and style of Richland County,

wherever it occurs in the records and on the seal of said County and elsewhere, shall hereafter be Rich County; and that all questions, rights, property and interests pending and accrued under the former name and style shall be continued and deemed of the same force and virtue under the new name and style of Rich County.

Approved Jan. 29, 1868.

#### CHAPTER III.

An ACT changing the name of Great Salt Lake City and Great Salt Lake County.

Be it enacted by the Governor and Legislative Assembly of the Territory of Utah: That the name and style of Great Salt Lake City, wherever it occurs in the charter and on the corporate seal of said City and elsewhere, shall hereafter be Salt Lake City; and that all questions, rights, property and interests pending and accrued under the former name and style shall be continued and deemed of the same force and virtue under the new name and style of Salt Lake City, and that the name and style of Great Salt Lake County, wherever it occurs in the records and on the seal of said County and elsewhere, shall hereafter be Salt Lake County; and that all questions, rights, property and interests pending and accrued under the former name and style shall be continued and dremed of the same force and virtue under the new name and style of Salt Lake County.

Approved Jan. 29, 1868

#### CHAPTER IV.

An ACT extending the boundaries of the City of Coalville, in Summit County.

Be it enacted by the Governor and Legislative Assembly of the Territory of Utah: That the boundaries of the City of Coalville, in Summit County, are hereby extended as follows: Commencing at the Wasatch coal bed, thence running east two miles, thence north two miles, thence west four miles, thence south five miles, thence east four miles, thence north three miles till it intersects the line running east from the place of beginning. So much of section one of "An Act incorporating the City of Coalville, in Summit County," as conflicts with this Act, is hereby repealed.

Approved Feb. 3, 1868.

#### CHAPTER V.

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An ACT to incorporate Descret City, in Millard County.

SEC. 1.—Be it enacted by the Governor and Legislative Assembly of the Territory of Utah: That all that district of Millard County embraced in the following boundaries, to wit: Beginning at a point three miles due east of the southeast corner of block 37, In Deseret City survey, thence south three miles, thence west six miles, thence north six miles, thence east six miles, thence south three miles to the place of beginning, shall be known and designated under the name and style of Deseret City, and the inhabitants thereof are hereby constituted a body corporate and politic by the name aforesaid, and may have and use a common seal which they may change and alter at pleasure.

SEC. 2.—The inhabitants of said City, by the name and style aforesaid, shall have power to sue and be sued, to plead and be impleaded, defend and be defended in all courts of law and equity and in all actions whatsoever; to purchase, receive and hold property, real and personal; to purchase, receive and hold real property beyond the city, for burying grounds or for other public purposes, for the use of the inhabitants of said city; to sell, lease, convey or dispose of property, real and personal, for the benefit of said city; to improve and protect such property, and to do all other things in

relation thereto as natural persons.

SEC. 3.—There shall be a City Council, to consist of a Mayor and five Councilors, who shall have the qualifications of electors of said city, and shall be chosen by the qualified voters thereof, and shall hold their offices for two years, and until their successors shall be elected and qualified. The City Council shall judge of the qualifications, elections and returns of their own members, and a majority of them shall form a quorum to do business; but a smaller number may adjourn from day to day, and compel the attendance of absent members, under such penalties as may be prescribed by ordinance

there shall also be elected in like manner two Justices of the Peace, who shall have the qualifications of voters, be commissioned by the Governor, and have jurisdiction in all cases arising under the or-

dinances of the city.

SEC. 4.—The Mayor and Councilors, before entering upon the duties of their offices, shall take and subscribe an oath or affiirmation that they will support the Constitution of the United States and the laws of this Territory, and that they will well and truly perform all the duties of their offices to the best of their skill and abilities.

SEC. 5.—One Mayor and five Councilors shall be elected biennially, and the first election under this Act shall be at such time and place as the Probate Judge of Millard County shall direct: Provided, Said election shall be on or before the first Monday in August next. Said election shall be held and conducted as is now provided by law for the holding of elections for County and Territorial officers, and at the said first election all electors within said eity

limits shall be entitled to vote.

SEC. 6.—The Clerks of election shall leave with each person elected, or at his usual place of residence, within five days after the election, a written notice of his election; and each person so notified shall, within ten days after the election, take the oath or affirmation hereinbefore mentioned, a certificate of which oath shall be deposited with the Recorder, whose appointment is hereinafter provided for, and be by him preserved; and all subsequent elections shall be held, conducted, and returns thereof made, as may be provided for by ordinance of the City Council.

SEC. 7.—The City Council shall have authority to levy and collect taxes for city purposes, upon all taxable property, real and personal, within the limits of the city, not exceeding one-half of one per cent. per annum upon the assessed value thereof; and may enforce the payment of the same in any manner to be provided by ordinance, not repugnant to the Constitution of the United States

or the laws of this Territory.

SEC. 8.—The City Council shall have power to appoint a Recorder, Treasurer, Assessor and Collector, Marshal and Supervisor of Streets. They shall also have power to appoint all such other officers by ordinance as may be necessary, define the duties of all city officers, and remove them from office at pleasure.

SEC. 9.—The city Council shall have power to require of all officers, appointed in pursuance of this Act, bonds with security for the faithful performance of their respective duties, and also to require of all officers, appointed as aforesaid, to take an oath for the

faithful performance of the duties of their respective offices.

SEC. 10.—The City Council shall shall have power and authority to make, ordain, establish and execute all such ordinances, not repugnant to the Constitution of the United States or the laws of this Territory, as they may deem necessary for the peace, benefit, good order, regulation, convenience and cleanliness of said city, for the protection of property therein from destruction by fire or otherwise, and for the health and happiness of the inhabitants thereof; and shall have control of the water and water courses leading to the

city: Provided, That such control shall not be exercised to the injury of any rights already acquired by actual settlers thereon; and shall have control of the water courses and mill privileges within said city, but in no case shall they interfere with the natural rights of others acquired in relation to water privileges within said city. They shall have power to fill all vacancies that may happen by death, resignation, removal or otherwise in any of the offices herein made elective; to fix and establish the fees of the officers of said corporation; to impose such fines, not exceeding one hundred dollars, and imprisonment, not exceeding six months, for each offense for the breach or violation of any city ordinance; to divide the city into wards, and specify the boundaries thereof.

SEC. 11.—All ordinances passed by the City Council shall, within one month after they shall have been passed, be published in some newspaper printed in said city, or certified copies thereof be

posted up in three of the most public places in the city.

SEC. 12.—All ordinances of the city may be proven by the seal of the corporation; and when printed or published in book or pamphlet form, purporting to be printed or published by the authority of the corporation, the same shall be received in evidence in all

courts and places without further proof.

Sec. 13.—The Justices of the Peace of said city shall have all the powers of other Justices of the Peace, both in civil and criminal cases arising under the laws of the Territory; they shall perform the same duties, be governed by the same laws, give the same bonds and securities as other Justices of the Peace; they shall have exclusive jurisdiction in all cases arising under the ordinances of the corporation, and shall issue such process as may be necessary to carry such ordinances into execution. Appeals may be had from any decision or judgment of said Justices, arising under the ordinances of said city or the laws of the Territory, to the Probate Court of Millard County, in the same manner as appeals are or may be taken from other Justices of the Peace.

SEC. 14.—The Mayor shall be the Chief Executive Officer of said corporation; he shall preside in the City Council, and shall have power to veto any ordinance when not passed by four-fifths ma-

jority, and it shall be his duty to sign all city ordinances.

SEC. 15.—The City Council shall have power to restrain, regulate or prohibit the running at large of cattle, horses, mules, sheep, swine, goats, and all kinds of poultry, and to tax and regulate the keeping of dogs; and to authorize the destruction of the same when

at large contrary to city ordinance.

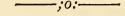
Sec. 16.—To license, regulate, prohibit or restrain the manufacturing, selling or giving away of spirituous, vinous or fermented liquors, tavern keepers, dram or tippling shop keepers, boarding, victualling or coffee houses, restaurants, saloons or other houses or places for the selling or giving away of ardent, vinous or fermented liquors.

Sec. 17.—The City Council shall have evclusive power by ordinance to regulate the police of the city; to license, tax and regulate auctioneers, merchants and retailers; to license, tax and regulate theatrical and other exhibitions, shows and amusements, to tax,

restrain, prohibit and suppress gaming, bawdy and other disorderly houses.

SEC. 18.—This Act shall be in force on or after the first day of March, 1868, and may be amended or repealed at the pleasure of the Legislative Assembly.

Approved Feb. 3, 1868.



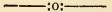
#### CHAPTER VI.

An ACT amending an Act prescribing certain qualifications necessary to enable a person to be eligible to hold office, vote, or serve as a Juror.

SEC. 1.—Be it enacted by the Governor and Legislative Assem bly of the Territory of Utah: That the words "free, white," are hereby stricken out of section three and four of "An Act prescribing certain qualifications necessary to enable a person to be eligible to hold office, vote, or serve as a Juror," and said section three is hereby turther amended by striking out the word "therein" in the second line and writing in lieu thereof, the words "in this Territory."

SEC. 2.—This Act shall be in force from and after its passage.

Approved Feb. 5, 1868.



#### CHAPTER VII.

An ACT Incoporating the City of Smithfield, in Cache County.

SEC. 1.—Be it enacted by the Governor and Legislative Assembly of the Territory of Utah, That all that district of country embraced in the following boundaries to wit: Commencing at the south-east corner of Tarbett and Co's grist mill, thence south two miles, thence west four miles, thence north four miles, thence east four miles, thence south two miles to the place of beginning, shall be known and designated under the name and style of Smithfield

City, and the inhabitants thereof are hereby constituted a body corporate and politic by the name aforesaid, and shall have perpetual succession, and may have and use a common seal which they

may change and alter at pleasure.

SEC. 2.—The inhabitants of said city, by the name and style aforesaid, shall have power to sue and be sued, to plead and be impleaded, defend and be defended in all courts of law and equity, and in all actions whatsoever; to purchase, receive and hold property real and personal in said city; to purchase, receive and hold real property beyond the city for burying grounds or other public purposes for the use of the inhabitants of said city; to sell, lease, convey or dispose of property real and personal for the benefit of said city, to improve and protect such property, and to do all other

things in relation thereto as natural persons.

SEC. 3.—There shall be a City Council, to consist of a Mayor and five Councilors, who shall have the qualifications of electors of said city, and shall be chosen by the qualified voters thereof, and shall hold their offices for two years and until their successors shall be elected and qualified. The City Council shall judge of the qualifications, elections and returns of their own members and a majority of them shall form a quorum to do business; but a smaller number may adjourn from day to day and compel the attendance of absent members, under such penalties as may be prescribed by ordinance; there shall also be elected in like manner two Justices of the Peace, who shall have the qualifications of voters, be commissioned by the Governor and have jurisdiction in all cases arising under the ordinances of the city.

SEC. 4.—The Mayor and Councilors, before entering upon the duties of their offices, shall take and subscribe an oath or affirmation that they will support the Constitution of the United States and laws of this Territory, and that they will well and truly perform all the duties of their offices to the best of their skill and

abilities.

SEC. 5.—One Mayor and five Councilors shall be elected biennially, and the first election under this act shall be at such times in said city as the Probate Judge of Cache County shall direct: Provided, said election shall be noor before the first Monday in August next. Said election shall be held and conducted as now is provided by law forthe holding of elections for county and Territorial officers; and, at the said first election, all electors within said city

limits shall be entitled to vote.

SEC. 6.—The clerks of election shall leave with each person elected, or at his usual place of residence, within five days after the election, a written notice of his election and each person so notified shall, within ten days after the election take the oath or affirmation hereinbefore mentioned, a certificate of which oath shall be deposited with the Recorder, whose appointment is hereinafter provided for, and be by him preserved, and all subsequent elections shall be held, conducted and returns thereof made as may be provided for by ordinance of the City Council.

SEC. 7.—The City Council shall have authority to levy and collect taxes for city purposes upon all taxable property, real and

personal, within the limits of the city, not exceeding one half of one per cent. per annum upon the assessed value thereof; and may enforce the payment of the same to be provided for by ordinance not repugnant to the Constitution of the United States or to the laws of this Territory.

SEC. 8.—The City Council shall have power to appoint a Recorder, Treasurer, Assessor and Collector, Marshal and Supervisor of Streets. They shall also have the power to appoint all such other officers, by ordinance, as may be necessary, define the duties of all

city officers and remove them from office at pleasure.

SEC. 9.—The City Council shall have power to require of all officers, appointed in pursuance of this act, bonds with security for the faithful performance of their respective duties and also to require of all officers appointed as aforesaid, to take an oath for the faithful

performance of the duties of their respective offices.

Sec. 10.—The City Council shall have power and authority to make, ordain, establish and execute all such ordinances not repugnant to the Constitution of the United States or the laws of this Territory, as they may deem necessary for the peace, benefit, good order, regulation, convenience and cleanliness of said city; for the protection of property therein from destruction by fire or otherwise, and for the health and happiness of the inhabitants thereof; and shall have control of the water and water courses leading to the city, Provided that such control shall not be exercised to the injury of any rights already acquired by actual settlers thereon; and shall have control of the water courses and mill privileges within said city; but in no case shall they interfere with the natural rights of others heretofore acquired in relation to water. They shall have power to fill all vacancies that may happen by death, resignation, removal or otherwise, of any of the officers herein made elective; to fix and establish the fees of the officers of said corporation.

The City Council shall have power to divide the city into wards

and specify the boundaries thereof.

SEC. 11.—All ordinances passed by the City Council shall, within ten days after they shall have been passed, be published in some newspaper printed in said city, or certified copies thereof be posted up in three of the most public places in the city. They shall not be in force until thus published or posted up.

SEC. 12.—All ordinances of the city may be proven by the seal of the Corporation affixed thereto; and when printed or published in book or pamphlet form, purporting to be printed or published by the authority of the corporation, the same shall be received in

evidence in all courts and places, without further proof.

SEC. 13.—The Justices of the Peace of said city shall have all the powers of other justices of the Peace, both in civil and criminal cases arising under the laws of the Territory. They shall perform the same duties, be governed by the same laws and give the same bonds and securities as other Justices of the Peace. They shall have exclusive jurisdiction in all cases arising under the ordinances of the corporation, and shall issue such process as may be necessary to carry such ordinances into execution.

Appeals may be had from any decision or judgment of said Jus-

tices, arising under the ordinances of said city or the laws of the Territory, to the Probate Court of said Cache County in the same manner as appeals are or may be taken from other Justices of the Peace.

SEC. 14—The Mayor shall be the Chief Executive Officer of said corporation; he shall preside in the City Council, and shall have power to veto any ordinance when not passed by four-fifths major-

ity, and it shall be his duty to sign all city ordinances.

SEC. 15.—The City Council shall have power to restrain, regulate or prohibit the running at large of cattle, horses, mules, sheep, swine, goats and all kinds of poultry; and to tax and regulate the keeping of dogs, and to authorize the destruction of the same when

at large contrary to city ordinance.

SEC. 16.--To license, regulate, prohibit or restrain the manufacturing, selling or giving away of spirituous, vinous or fermented liquors, tavern-keepers, dram or tippling shop keepers, boarding, victualing or coffee houses, restaurants, saloons, or other houses or places for the selling or giving away of ardent, vinous or fermented liquors.

SEC. 17.—The City Council shall have exclusive power by ordinance to regulate the police of the city; to license, tax and regulate auctioneers, merchants and retailers; to license, tax and regulate theatrical and other exhibitions, shows and amusements, to prohibit and suppress gaming, bawdy and other disorderly houses.

SEC. 18.—This Act shall be in force on and after the first day of April, one thousand eight hundred and sixty-eight, and may be amended or altered at the pleasure of the Legislative Assembly.

Approved Feb. 6, 1868.

#### CHAPTER VIII.

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An ACT Incorporating Richmond City, in Cache County.

SEC. 1.—Be it enacted by the Governor and Legislative Assembly of the Territory of Utah: That all that district of country embraced in the following boundaries in Cache County, to wit: Commencing at the base of the mountains one half mile north of William D. Hendrick's grist mill, thence west four miles, thence south four and one half miles, thence east to the base of the mountains, thence in a northerly direction along the base of the mountains to the place of beginning, shall be known and designated under the name of Richmond City; and the inhabitants thereof are hereby constituted a body corporate and politic by the name aforesaid, and shall

have perpetual succession, and may have and use a common seal

which they may change and alter at pleasure.

SEC. 2.—The inhabitants of said city, by the name and style aforesaid, shall have power to sue and be sued, to plead and be impleaded, defend and be defended in all courts of law and equity and in all actions whatsoever; to purchase, receive and hold property, real and personal, in said city; to purchase, receive and hold real property beyond the city for burying grounds or other public purposes, for the use of the inhabitants of said city; to sell, lease, convey or dispose of property, real and personal, for the benefit of said city; to improve and protect such property, and to de all other

things in relation thereto as natural persons.

SEC. 3.—There shall be a City Council, to consist of a Mayor and five Councilors, who shall have the qualifications of electors of said city, and shall be chosen by the qualified voters thereof, and shall hold their offices for two years and until their successors shall be elected and qualified. The City Council shall judge of the qualifications, elections and returns of their own members, and a majority of them shall form a quorum to do business; but a smaller number may adjourn from day to day and compel the attendance of absent members under such penalties as may be prescribed by ordinance; there shall also be elected in like manner two Justices of the Peace, who shall have the qualifications of voters, be commissioned by the Governor, and have jurisdiction in all cases arising under the ordinances of the city.

Sec. 4.—The Mayor and Councilors, before entering upon the duties of their offices, shall take and subscribe an oath or affirmation that they will support the Constitution of the United States and the laws of this Territory, and that they will well and truly perform all the duties of their offices to the best of their skill and

abilities.

Sec. 5.—One Mayor and five Councilors shall be elected biennially, and the first election under this Act shall be at such time in said City as the Probate Judge of Cache County shall direct: Provided, Said election shall be on or before the first Monday in August next. Said election shall be held and conducted as now is provided by law for the holding of elections for County and Territorial officers; and at the said first election all electors within said

city limits shall be entitled to vote.

SEC. 6.—The clerks of election shall leave with each person elected, or at his usual place of residence, within five days after the election, a written notice of his election; and each person so notified shall, within ten days after the election, take the oath or affirmation herein before mentioned, a certificate of which oath shall be deposited with the Recorder, whose appointment is hereinafter provided for, and be by him preserved; and all subsequent elections shall be held, conducted and returns thereof made as may be provided for by ordinance of the City Council.

SEC. 7.—The City Council shall have power to levy and collect taxes for city purposes upon all taxable property, real and personal, within the limits of the city, not exceeding one half of one percent. per annum upon the assessed value thereof; and may enforce

the payment of the same, to be provided for by ordinance not repugnant to the Constitution of the United States, or the laws of

this Territory.

SEC. 8.—The City Council shall have power to appoint a Recorder, Treasurer, Assessor and Collector, Marshal and Supervisor of Streets. They shall also have the power to appoint all such other officers, by ordinance, as may be necessary, define the duties of all city officers and remove them from office at pleasure.

SEC. 9.—The City Council shall have power to require of all officers appointed in pursuance of this Act, bonds with security for the faithful performance of their respective duties, and also to require of all officers appointed as aforesaid, to take an oath for the

faithful performance of the duties of their respective offices.

SEC. 10-The City Council shall have power and authority to make, ordain, establish and execute all such ordinances, not repugnant to the Constitution of the United States or the laws of this Territory, as they may deem necessary for the peace, benefit, good order, regulation, convenience and cleanliness of said city; for the protection of property therein from destruction by fire or otherwise, and for the health and happiness of the inhabitants thereof; and shall have control of the water and water courses leading to the city: Provided, That such co trol shall not be exercised to the injury of any rights already acquired by actual settlers thereon; and shall have control of the water courses and mill privileges within said city; but in no case shall they interfere with the natural rights of others heretofore acquired in relation to water. They shall have power to fill all vacancies, that may happen by death, resignation, removal or otherwise, of any of the officers herein made elective; to fix and establish the fees of the officers of said corporation. The City Council shall have power to divide the city into wards, and specify the boundaries thereof.

Sec. 11.—All ordinances passed by the City Council shall, within ten days after they shall have been passed, be published in some newspaper printed in said city, or certified copies thereof be posted up in three of the most public places in the city. They shall not be in force until thus published or posted up.

SEC. 12.—All ordinances of the city may be proven by the seal of the corporation affixed thereto; and when printed or published in book or pamphlet form, purporting to be printed or published by the authority of the corporation, the same shall be received in evidence in all courts and places, without further proof.

SEC. 13.—The Justices of the Peace of said city shall have all the powers of other Justices of the Peace, both in civil and criminal cases arising under the laws of the Territory. They shall perform the same duties, be governed by the same laws, and give the same bonds and securities as other Justices of the Peace. They shall have exclusive jurisdiction in all cases arising under the ordinances the corporation, and shall issue such process as may be necessary to carry such ordinances into execution. Appeals may be had from any decision or judgment of said Justices, arising under the ordinances of said city, or the laws of the Territory, to the Probate Court

of said Cache County, in the same manner as appeals are or may be

taken from other Justices of the Peace.

Sec. 14.—The Mayor shall be the chief executive officer of said corporation; he shall preside in the City Council, and shall have power to veto any ordinance when not passed by four-fifths majority, and it shall be his duty to sign all city ordinances.

SEC. 15.—The City Council shall have power to restrain, regulate or prohibit the running at large of cattle, horses, mules, sheep, swine, goats and all kinds of poultry; and to tax and regulate the keeping of dogs, and to authorize the destruction of the same when

at large contrary to city ordinance.

SEC. 16.—To license, regulate, prohibit or restrain the manufacturing, selling or giving away of spirituous, vinous or fermented liquors, tavern keepers, dram or tippling shop keepers, boarding, victualing or coffee houses, restaurants, saloons or other houses or places for the selling or giving away of ardent, vinous or fermented liquors.

SEC. 17.—The City Council shall have exclusive power, by ordinance, to regulate the police of the city; to license, tax and regulate auctioneers, merchants and retailers; to license, tax and regulate theatrical and other exhibitions, shows and amusements; to prohibit and suppress gaming, bawdy and other disorderly houses.

SEC. 18.—This Act shall be in force on and after the first day of April, one thousand eight hundred and sixty-eight, and may be amended or repealed at the pleasure of the Legislative Assembly.

Approved Feb. 6, 1868.

#### CHAPTER IX.

An ACT Incorporating Kaysville City, in Davis County.

SEC. 1.—Be it enacted by the Governor and Legislative Assembly of the Territory of Utah: That all that district of country in Davis County embraced in the following boundaries, to wit; Commencing at the southeast corner of lot 3, block 1, in Haight's Creek survey, thence west four miles, thence north four miles, thence east four miles, thence south four miles to the place of beginning, shall be known and designated under the name and style of Kaysville City; and the inhabitants thereof are hereby constituted a body corporate and politic by the name aforesaid, and may have and use a common seal, which they may change and alter at pleasure.

SEC. 2.—The inhabitants of said city, by the name and style aforesaid, shall have power to sue and be sued, to plead and be impleaded.

ed, defend and be defended in all courts of law and equity and in all actions whatsoever; to purchase, receive and hold property, real and personal, in said city; to purchase, receive and hold real property beyond the city for burying grounds and other public purposes for the use of the inhabitants of said city; to sell, lease, convey or dispose of property, real and personal, for the benefit of said city; to improve and protect such property, and to do all other

things in relation thereto as natural persons.

SEC. 3.—There shall be a City Council, to consist of a Mayor and five Councilors, who shall have the qualifications of electors of said city, and shall be chosen by the qualified voters thereof, and shall hold their offices for two years, and until their successors shall be elected and qualified. The City Council shall judge of the qualifications, elections and returns of their own members, and a majority of them shall form a quorum to do business; but a smaller number may adjourn from day to day and compel the attendance of absent members, under such penalties as may be prescribed by ordinance; there shall also be elected in like manner two Justices of the Peace, who shall have the qualifications of voters, be commissioned by the Governor, and have jurisdiction in all cases arising under the ordinances of the city.

SEC. 4.—The Mayor and Councilors, before entering upon the duties of their offices, shall take and subscribe an oath or affirmation that they will support the Constitution of the United States and laws of this Territory, and that they will well and truly perform all the duties of their offices to the best of their skill and

abilities.

SEC. 5.—One Mayor and five Councilors shall be elected biennially, and the first election under this Act shall be at such time in said city, as the Probate Judge of Davis County shall direct: Provided, Said election shall be on or before the first Monday in August next. Said election shall be held and conducted as now is provided by law for the holding of elections for County and Territorial officers; and, at the said first election, all electors within said

city limits, shall be entitled to vote.

Sec. 6.—The Clerks of election shall leave with each person elected, or at his usual place of residence, within five days after the election, a written notice of his election; and each person so notified shall within ten days after the election, take the oath or affirmation herein before mentioned, a certificate of which oath shall be deposited with the Recorder, whose appointment is hereinafter provided for, and be by him preserved; and all subsequent elections shall be held, conducted and returns thereof made as may be provided for by ordinance of the City Council.

SEC. 7.—The City Council shall have authority to levy and collect taxes for city purposes upon all taxable property, real and personal, within the limits of the city, not exceeding one half of one per cent. per annum upon the assessed value thereof; and may enforce the payment of the same, to be provided for by ordinance not repugnant to the Constitution of the United States or to the laws

of this Territory.

SEC. 8.—The City Council shall have power to appoint a Recorder, Treasurer, Assessor and Collector, Marshal and Supervisor of Streets. They shall also have the power to appoint all such other officers, by ordinance, as may be necessary, define the duties of all city officers, and remove them from office at pleasure.

SEC 9.—The City Council shall have power to require of all officers, appointed in pursuance of this Act, bonds with security, for the faithful performance of their respective duties, and also to require of all officers, appointed as aforesaid, to take an oath for the

faithful performance of the duties of their respective offices.

SEC. 10.—The City Council shall have power and authority to make, ordain, establish and execute all such ordinances, not repugnant to the Constitution of the United States or the laws of this Territory, as they may deem necessary for the peace, benefit, good order, regulation, convenience and cleanliness of said city; for the protection of property therein from destruction by fire or otherwise, and for the health and happiness of the inhabitants thereof; and shall have control of the water and water courses leading to the city: Provided, That such control shall not be exercised to the injury of any rights already acquired by actual settlers thereon; and shall have control of the water courses and mill privileges within said city; but in no case shall they interfere with the natural rights of others heretofore acquired in relation to water. They shall have power to fill all vacancies that may happen by death, resignation, removal or otherwise, of any of the officers herein made elective; to fix and establish the fees of the officers of said corporation. The City Council shall have power to divide the city into wards, and specify the boundaries thereof.

SEC 11.—All ordinances passed by the City Council shall, within ten days after they shall have been passed, be published in some newspaper printed in said city, or certified copies thereof be posted up in three of the most public places in the city. They shall not

be in force until thus published or posted up.

SEC. 12.—All ordinances of the city may be proven by the seal of the corporation affixed thereto; and, when printed or published in book or pamphlet form, purporting to be printed or published by the authority of the corporation, the same shall be received in

evidence in all courts and places, without further proof.

SEC. 13.—The Justices of the Peace of said city shall have all the powers of other Justices of the Peace, both in civil and criminal cases arising under the laws of the Territory. They shall perform the same duties, be governed by the same laws, and give the same bonds and securities as other Justices of the Peace. They shall have exclusive jurisdiction in all cases arising under the ordinances of the corporation, and shall issue such process as may be necessary to carry such ordinances into execution. Appeals may be had from any decision or judgment of said Justices, arising under the ordinances of said city, or the laws of the Territory, to the Probate Court of said Davis County, in the same manner as appeals are or may be taken from other Justices of the Peace.

SEC. 14.—The Mayor shall be the chief executive officer of said corporation; he shall preside in the City Council, and shall have

power to veto any ordinance when not passed by four-fifths ma-

jority, and it shall be his duty to sign all city ordinances.

SEC. 15.—The City Council shall have power to restrain, regulate or prohibit the running at large of cattle, horses, mules, sheep, swine, goats and all kinds of poultry; and to tax and regulate the keeping of dogs, and to authorize the destruction of the same when

at large contrary to city ordinance.

SEC. 16.—To license, regulate, prohibit or restrain the manufacturing, selling or giving away of spirituous, vinous or fermented liquors, tavern keepers, dram or tippling shop keepers, boarding, vietualling or coffee houses, restaurants, saloons or other houses or places for the selling or giving away of ardent, vinous or ferment-

Sec. 17.—The City Council shall have exclusive power, by ordipance, lo regulate the police of the city; to license, tax and regulate auctioneers, merchants and retailers; to license, tax and regulate theatrical and other exhibitions, shows and amusements; to prohibit and suppress gaming, bawdy and other disorderly houses.

SEC. 18.—This Act shall be in force on and after the fifteenth day of March, one thousand eight hundred and sixty-eight, and may be amended or repealed at the pleasure of the Legislative

Assembly.

Approved Feb. 13, 1868.

#### CHAPTER X.

An ACT Iocorporating the City of Morgan, in Morgan County,

SEC. 1.—Be it enacted by the Governor and Legislative Assembly of the Territory of Utah: That all that district of country embraced in the following boundaries, in Morgan County, to wit: Commencing at the bridge on the County road crossing East Canon Creek, thence down said creek one mile, thence northeast two miles and a half, theace skirting the base of the mountains in a south easterly direction to where Weber river enters Weber Valley, thence skirting the base of the mountains on the south side of said Weber river two and a half miles, more or less, to the north. east corner of Bradt survey, thence west three-fourths of a mile to Cañon creek, thence down said Cañon creek one half mile, more or less, to place of beginning, shall be known and designated under the name and style of Morgan City; and the inhabitants there. of are hereby constituted a body corporate and politic by the name aforesaid, and shall have perpetual succession; and may have and

use a common seal, which they may change and alter at pleasure. SEC. 2.—The inhabitants of said city, by the name and style

aforesaid, shall have power to sue and be sued, to plead and be impleaded, defend and be defended in all courts of law and equity, and in all actions whatsoever; to purchase, receive and hold property, real and personal, in said city; to purchase, receive and hold real property beyond the city for burying grounds or other public purposes, for the use of the inhabitants of said city; to sell, lease, convey or dispose of property, real and personal, for the benefit of said city; to improve and protect such property, and to do all other

things in relation thereto as natural persons.

SEC. 3.—There shall be a City Council, to consist of a Mayor and five Councilors, who shall have the qualifications of electors of said city, and shall be chosen by the qualified voters thereof, and shall hold their offices for two years and until their successors shall be elected and qualified; the City Council shall judge of the qualifications, elections and returns of their own members, and a majority of them shall form a quorum to do business; but a smaller number may adjourn from day to day, and compel the attendance of absent members under such penalties as may be prescribed by ordinance; there shall also be elected in like manner two Justices of the Peace, who shall have the qualifications of voters, be commissioned by the Governor, and have jurisdiction in all cases arising under the ordinances of the city.

SEC. 4.—The Mayor and Councilors, before entering upon the duties of their offices, shall take and subscribe an oath or affirmation that they will support the Constitution of the United States and the laws of this Territory, and that they will well and truly perform all the duties of their offices to the best of their skill and

abilities.

SEC. 5.—One Mayor and five Councilors shall be elected biennially, and the first election under this Act shall be at such times in said city as the Probate Judge of Morgan County shall direct: Provided, Said election shall be on or before the first Monday in August next. Said election shall be held and conducted as now is provided by law for the holding of elections for County and Territorial officers; and, at the said first election, all electors within said

city limits shall be entitled to vote.

SEC. 6.—The Clerks of election shall leave with each person elected, or at his usual place of residence, within five days after his election, a written notice of his election; and each person so notified shall, within ten days after the election, take the oath or affirmation hereinbefore mentioned, a certificate of which oath shall be deposited with the Recorder, whose appointment is hereinafter provided for, and be by him preserved; and all subsequent elections shall be held, conducted, and returns thereof made as may be provided for by ordinance of the City Council.

SEC. 7.—The City Council shall have authority to levy and collect taxes for city purposes upon all taxable property, real and personal, within the limits of the city, not exceeding one half of one per cent. per annum upon the assessed value thereof; and may enforce the payment of the same, to be provided by ordinance not repugnant to the Constitution of the United States or to the laws.

of this Territory.

SEC. 8.—The City Council shall have power to appoint a Recorder, Treasurer, Assessor and Collector, Marshal and Supervisor of Streets. They shall also have power to appoint all such other officers by ordinance as may be necessary, define the duties of all city officers, and remove them from office at pleasure.

Sec. 9.—The City Council shall have power to require of all officers, appointed in pursuance of this Act, bonds with security for the faithful performance of their respective duties, and also to require of all officers, appointed as aforesaid, to take an oath for the

faithful performance of the duties of their respective offices.

SEC. 10.—The City Council shall shall have power and authority to make, ordain, establish and execute all such ordinances, not repugnant to the Constitution of the United States or the laws of this Territory, as they may deem necessary for the peace, benefit, good order, regulation, convenience and cleanliness of said city, for the protection of property therein from destruction by fire or otherwise. and for the health and happiness of the inhabitants thereof; and shall have control of the water and water courses leading to the city: Provided, That such control shall not be exercised to the injury of any rights already acquired by actual settlers thereon; and shall have control of the water courses and mill privileges within said city, but in no case shall they interfere with the natural rights of others heretofore acquired in relation to water. shall have power to fill all vacancies that may happen by death, resignation, removal or otherwise of any of the officers herein made elective; to fix and establish the fees of the officers of said corporation. The City Council shall have power to divide the city into wards, and specify the boundaries thereof.

SEC. 11.—All ordinances passed by the City Council shall, within ten days after they shall have been passed, be published in some newspaper printed in said city, or certified copies thereof be posted up in three of the most public places in the city. They shall not be in force until thus published or posted up.

SEC. 12.—All ordinances of the city may be proven by the seal of the corporation affixed thereto; and when printed or published in book or pamphlet form, purporting to be printed or published by the authority of the corporation, the same shall be received in

evidence in all courts and places without further proof.

SEC. 13.—The Justices of the Peace of said city shall have all the powers of other Justices of the Peace, both in civil and criminal cases arising under the laws of the Territory; they shall perform the same duties, be governed by the same laws, give the same bonds and securities as other Justices of the Peace; they shall have exclusive jurisdiction in all cases arising under the ordinances of the corporation, and shall issue such process as may be necessary to carry such ordinances into execution. Appeals may be had from any decision or judgment of said Justices, arising under the ordinances of said city or the laws of the Territory, to the Pro-

bate Court of said Morgan County, in the same manner as appeals

are or may be taken from other Justices of the Peace.

SEC. 14.—The Mayor shall be the Chief Executive Officer of said corporation; he shall preside in the City Council, and shall have power to veto any ordinance when not passed by four-fifths majority, and it shall be his duty to sign all city ordinances.

SEC. 15.—The City Council shall have power to restrain, regulate or prohibit the running at large of cattle, horses, mules, sheep, swine, goats, and all kinds of poultry, and to tax and regulate the keeping of dogs; and to authorize the destruction of the same when

at large contrary to city ordinance.

SEC. 16.—To license, regulate, prohibit or restrain the manufacturing, selling or giving away of spirituous, vinous or fermented liquors, tavern keepers, dram or tippling shop keepers, boarding, victualling or coffee houses, restaurants, saloons or other houses or places for the selling or giving away of ardent, vinous or fermented liquors.

SEC. 17.—The City Council shall have exclusive power by ordinance to regulate the police of the city; to license, tax and regulate auctioneers, merchants and retailers; to license, tax and regulate theatrical and other exhibitions, shows and amusements, to prohibit and suppress gaming, bawdy and other disorderly

houses.

Sec. 18.—This Act shall be in force on and after the first day of April, 1868, and may be amended or repealed at the pleasure of the Legislative Assembly.

Approved Feb. 13, 1868.

#### CHAPTER XI.

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An ACT Incorporating Parowan City, in Iron County.

SEC. 1.—Be it enacted by the Governor and Legislative Assembly of the Territory of Utah: That all that district of country embraced in the following boundaries in Iron County, to wit: beginning at a point three hundred and twenty rods due south of the stone meeting house in Parowan, thence east two miles, thence north six miles, thence west six miles, thence south six miles, thence east four miles to the place of beginning, shall be known and designated under the name and style of Parowan City, and the inhabitants thereof are hereby constituted a body corporate and politic by the name aforesaid, and may have and use a common seal, which they may change and alter at pleasure.

SEC. 2.—The inhabitants of said city, by the name and style aforesaid, shall have power to sue and be sued, to plead and be impleaded, defend and be defended in all courts of law and equity, and in all actions whatsoever; to purchase, receive and hold property real and personal in said city; to purchase, receive and hold real property beyond the city for burying grounds or other public purposes for the use of the inhabitants of said city; to sell, lease, convey or dispose of property real and personal for the benefit of said city, to improve and protect such property, and to do all other

things in relation thereto as natural persons.

SEC. 3.—There shall be a City Council, to consist of a Mayor and five Councilors, who shall have the qualifications of electors of said city, and shall be chosen by the qualified voters thereof, and shall hold their offices for two years and until their successors shall be elected and qualified. The City Council shall judge of the qualifications, elections and returns of their own members and a majority of them shall form a quorum to do business; but a smaller number may adjourn from day to day and compel the attendance of absent members, under such penalties as may be prescribed by ordinance; there shall also be elected in like manner two Justices of the Peace, who shall have the qualifications of voters, be commissioned by the Governor and have jurisdiction in all cases arising under the ordinances of the city.

SEC. 4.—The Mayor and Councilors, before entering upon the duties of their offices, shall take and subscribe an oath or affirmation that they will support the Constitution of the United States and the laws of this Territory, and that they will well and truly perform all the duties of their offices to the best of their skill and

abilities.

SEC. 5.—One Mayor and five Councilors shall be elected biennially, and the first election under this act shall be at such times in said city as the Probate Judge of Iron County shall direct: Provided, said election shall be on or before the first Monday in August next. Said election shall be held and conducted as now is provided by law for the holding of elections for county and Territorial officers; and, at the said first election, all electors within said city limits shall be entitled to vote.

SEC. 6.—The clerks of election shall leave with each person elected, or at his usual place of residence, within five days after the election, awritten notice of his election, and each person so notified shall, within five days after the election take the oath or affirmation hereinbefore mentioned, a certificate of which oath shall be deposited with the Recorder, whose appointment is hereinafter provided for, and be by him preserved, and all subsequent elections shall be held, conducted and returns thereof made as may be provided for by ordinance of the City Council.

SEC. 7.—The City Council shall have authority to levy and collect taxes for city purposes upon all taxable property, real and personal, within the limits of the city, not exceeding one half of one per cent. per annum upon the assessed value thereof; and may enforce the payment of the same to be provided for by ordinance

not repugnant to the Constitution of the United States or to the

laws of this Territory.

SEC. 8.—The City Council shall have power to appoint a Recorder, Treasurer, Assessor and Collector, Marshal and Supervisor of Streets. They shall also have the power to appoint all such other officers, by ordinance, as may be necessary, define the duties of all city officers and remove them from office at pleasure.

SEC. 9.—The City Council shall have power to require of all officers, appointed in pursuance of this act, bonds with security for the faithful performance of their respective duties and also to require of all officers appointed as aforesaid, to take an oath for the faithful

performance of the duties of their respective offices.

SEC. 10.—The City Council shall have power and authority to make, ordain, establish and execute all such ordinances not repugnant to the Constitution of the United States or the laws of this Territory, as they may deem necessary for the peace, benefit, good. order, regulation, convenience and cleanliness of said city; for the protection of property therein from destruction by fire or otherwise, and for the health and happiness of the inhabitants thereof; and shall have control of the water and water courses leading to the city: Provided that such control shall not be exercised to the injury of any rights already acquired by actual settlers thereon; and shall have control of the water courses and mill privileges within said city; but in no case shall they interfere with the natural rights of others heretofore acquired in relation to water. They shall have power to fill all vacancies that may happen by death, resignation, removal or otherwise, of any of the officers herein made elective; to fix and establish the fees of the officers of said corporation. The City Council shall have power to divide the city into wards and specify the boundaries thereof.

SEC. 11.—All ordinances passed by the City Council shall, within ten days after they shall have been passed, be published in some newspaper printed in said city, or certified copies thereof be posted up in three of the most public places in the city. They shall not be

in force until thus published or posted up.

SEC. 12.—All ordinances of the city may be proven by the seal of the Corporation affixed thereto; and when printed or published in book or pamphlet form, purporting to be printed or published by the authority of the corporation, the same shall be received in

evidence in all courts and places, without further proof.

SEC. 13.—The Justices of the Peace of said city shall have all the powers of other justices of the Peace, both [in civil and criminal cases arising under the laws of the Territory. They shall perform the same duties, be governed by the same laws and give the same bonds and securities as other Justices of the Peace. They shall have exclusive jurisdiction in all eases arising under the ordinances of the corporation, and shall issue such process as may be necessary to carry such ordinances into execution. Appeals may be had from any decision or judgment of said Justices, arising under the ordinances of said city or the laws of the Territory, to the Probate Court of said Iron County in the same manner as appeals are or may be taken from other Justices of the Peace.

SEC. 14—The Mayor shall be the Chief Executive Officer of said corporation; he shall preside in the City Council, and shall have power to veto any ordinance when not passed by four-fifths major-

ity, and it shall be his duty to sign all city ordinances.

SEC. 15.—The City Council shall have power to restrain, regulate or prohibit the running at large of cattle, horses, mules, sheep, swine, goats and all kinds of poultry; and to tax and regulate the keeping of dogs, and to authorize the destruction of the same when

at large contrary to city ordinance.

Sec. 16.--To license, regulate, prohibit or restrain the manufacturing, selling or giving away of spirituous, vinous or fermented liquors, tavern-keepers, dram or tippling shop keepers, boarding, victualing or coffee houses, restaurants, saloons, or other houses or places for the selling or giving away of ardent, vinous or fermented liquors.

Sec. 17.—The City Council shall have exclusive power by ordinance to regulate the police of the city; to license, tax and regulate auctioneers, merchants and retailers; to license, tax and regulate theatrical and other exhibitions, shows and amusements, to prohibit and suppress gaming, bawdy and other disorderly houses.

SEC. 18.—This Act shall be in force on and after the tenth day of April, one thousand eight hundred and sixty-eight, and may be amended or repealed at the pleasure of the Legislative Assembly.

SEC. 19.—An ordinance to incorporate Parowan City, approved Feb. 6, 1851, is hereby repealed.

Approved Feb. 13, 1868.

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#### CHAPTER XII.

An ACT Incorporating the City of Ephraim, in Sanpete County.

SEC. 1. Be it enacted by the Governor and Legislative Assembly of the Territory of Utah: That all that district of Sanpete County embraced in the following boundaries to wit: Commencing at a point where the County road crosses Willow Creek southwesterly from Ephraim, thence west along the north boundary of Manti City to the northeast corner of said city boundary, thence north one half mile, thence east five miles, thence south to the northeast corner of Manti City boundary, thence down the center of the stream to the place of beginning shall be known and designated under the name and style of the City of Ephraim, and the inhabitants thereof are hereby constituted a body corporate and politic by the name and style aforesaid, and shall have perpetual succession, and may have and use a common seal which they may

change and alter at pleasure.

SEC. 2.—The inhabitants of said city, by the name and style aforesaid, shall have power to sue and be sued, to plead and be impleaded, defend and be defended in all courts of law and equity and in all actions whatsoever; to purchase, receive and hold property, real and personal, in said city; to purchase, receive and hold real property beyond the city for burying grounds or other public purposes, for the use of the inhabitants of said city; to sell, lease, convey or dispose of property, real and personal, for the benefit of said city; to improve and protect such property, and to do all other

things in relation thereto as natural persons.

SEC. 3.—There shall be a City Council, to consist of a Mayor and five Councilors, who shall have the qualifications of electors of said city, and shall be chosen by the qualified voters thereof, and shall hold their offices for two years and until their successors shall be elected and qualified. The City Council shall judge of the qualifications, elections and returns of their own members, and a majority of them shall form a quorum to do business; but a smaller number may adjourn from day to day and compel the attendance of absent members under such penalties as may be prescribed by ordinance; there shall also be elected in like manner two Justices of the Peace, who shall have the qualifications of voters, be commissioned by the Governor, and have jurisdiction in all cases arising under the ordinances of the city.

SEC. 4.—The Mayor and Councilors, before entering upon the duties of their offices, shall take and subscribe an oath or affirmation that they will support the Constitution of the United States and the laws of this Territory, and that they will well and truly perform all the duties of their offices to the best of their skill and

abilities.

SEC. 5.—One Mayor and five Councilors shall be elected biennially, and the first election under this Act shall be held at such time in said City as the Probate Judge of Sanpete County shall direct: Provided, Said election shall be on or before the first Monday in May next. Said election shall be held and conducted as is now provided by law for the holding of elections for County and Territorial officers; and at the said first election all electors within said

city limits shall be entitled to vote.

SEC. 6.—The clerks of election shall leave with each person elected, or at his usual place of residence, within five days after the election, a written notice of his election; and each person so notified shall, within ten days after the election, take the oath or affirmation hereinbefore mentioned, a certificate of which oath shall be deposited with the Recorder, whose appointment is hereinafter provided for, and be by him preserved; and all subsequent elections shall be held, conducted and returns thereof made as may be provided for by ordinance of the City Council.

SEC. 7.—The City Council shall have authority to levy and collect taxes for city purposes upon all taxable property, real and personal, within the limits of the city, not exceeding one half of one per cent. per annum upon the assessed value thereof; and may enforce

the payment of the same, to be provided for by ordinance not repugnant to the Constitution of the United States, or to the laws of this Territory.

SEC. 8.—The City Council shall have power to appoint a Recorder, Treasurer, Assessor and Collector, Marshal and Supervisor of Streets. They shall also have the power to appoint all such other officers, by ordinance, as may be necessary; define the duties of all city officers and remove them from office at pleasure.

SEC. 9.—The City Council shall have power to require of all officers appointed in pursuance of this Act, bonds with security for the faithful performance of their respective duties, and also to require of all officers appointed as aforesaid, to take an oath for the

faithful performance of the duties of their respective offices.

Sec. 10—The City Council shall have power and authority to make, ordain, establish and execute all such ordinances, not repugnant to the Constitution of the United States or the laws of this Territory, as they may deem necessary for the peace, benefit, good order, regulation, convenience and cleanliness of said city; for the protection of property therein from destruction by fire or otherwise, and for the health and happiness of the inhabitants thereof; and shall have control of the water and water courses leading to the city: Provided, That such control shall not be exercised to the injury of any rights already acquired by actual settlers thereon; and shall have control of the water courses and mill privileges within said city; but in no case shall they interfere with the natural rights of others heretofore acquired in relation to water. They. shall have power to fill all vacancies, that may happen by death, resignation, removal or otherwise, of any of the officers herein made elective; to fix and establish the fees of the officers of said cor-The City Council shall have power to divide the city into wards, and specify the boundaries thereof.

SEC. 11.—All ordinances passed by the City Council shall, within ten days after they shall have been passed, be published in some newspaper printed in said city, or certified copies thereof be posted up in three of the most public places in the city. They shall not

be in force until thus published or posted up.

Sec. 12.—All ordinances of the city may be proven by the seal of the corporation affixed thereto; and when printed or published in book or pamphlet form, purporting to be printed or published by the authority of the corporation, the same shall be received in evi-

dence in all courts and places, without further proof.

SEC. 13.—The Justices of the Peace of said city shall have all the powers of other Justices of the Peace, both in civil and criminal cases arising under the laws of the Territory. They shall perform the same duties, be governed by the same laws, and give the same bonds and securities as other Justices of the Peace. They shall have exclusive jurisdiction in all cases arising under the ordinances of the city, and shall issue such process as may be necessary to carry such ordinances into execution. Appeals may be had from any decision or judgment of said Justices, arising under the ordinances of said city, or the laws of the Territory, to the Probate Court

of said Sanpete County, in the same manner as appeals are or may

be taken from other Justices of the Peace.

SEC. 14.—The Mayor shall be the chief executive officer of said city; he shall preside in the City Council, and shall have power to veto any ordinance when not passed by four-fifths majority, and it shall be his duty to sign all city ordinances.

SEC. 15.—The City Council shall have power to restrain, regulate or prohibit the running at large of cattle, horses, mules, sheep, swine, goats and all kinds of poultry; and to tax and regulate the keeping of dogs, and to authorize the destruction of the same when

at large contrary to city ordinance.

SEC. 16.—To license, regulate, prohibit or restrain the manufacturing, selling or giving away of spirituous, vinous or fermented liquors, tavern keepers, dram or tippling shop keepers, boarding, victualing or coffee houses, restaurants, saloons or other houses or places for the selling or giving away of ardent, vinous or fermented liquors.

SEC. 17.—The City Council shall have power, by ordinance, to regulate the police of the city; to license, tax and regulate auctioneers, merchants and retailers; to license, tax and regulate theatrical and other exhibitions, shows and amusements; to tax, restrain, prohibit and suppress gaming, bawdy and other dis-

orderly bouses.

SEC. 18.—This Act shall be in force on and after the twentieth day of February, one thousand eight hundred and sixty-eight, and may be amended or repealed at the pleasure of the Legislative Assembly.

Approved Feb. 14, 1868.

#### CHAPTER XIII.

#### An ACT in relation to Interest.

Be it enacted by the Governor and Legislative Assembly of the Territory of Utah: That it shall not be lawful to take more than ten per cent. interest per annum, when the amount of interest has not been specified or agreed upon.

Approved February 14th, 1868.

#### CHAPTER XIV.

An ACT authorizing the Governor to appoint Commissioners, to take acknowledgements of deeds or other contracts and affidavits, and depositions in the States and other Territories of the United States.

SEC. 1.—Be it enacted by the Governor and Legislative Assembly of the Territory of Utah: That the Governor may appoint in each of the States and other Territories of the United States one or more Commissioners, to continue in office during the pleasure of the Governor; and such Commissioners are empowered to administer oaths and to take depositions and affidavits to be used in this Territory, and also to take acknowledgement or proof of deeds or other instruments to be recorded in this Territory.

SEC. 2.—Oaths administered by any such Commissioner, affidavits and depositions taken by him, and acknowledgements as aforesaid, certified by him under his hand and appropriate seal, are made as effectual in law, for all intents and purposes as if done

and certified by a Justice of the Peace in this Territory.

SEC. 3.—Before such Commissioner can perform any of the duties of his office, he is required to take and subscribe an oath that he will faithfully perform said duties, which oath shall be taken and subscribed before some judge or clerk of a court of record in the State or Territory in which the Commissioner is to exercise his appointment, and be certified under the hand of the person taking it and the seal of his court; he is also required to file the oath and certificate together with his signature on paper and a clear impression of his seal on wax or wafer in the office of the Secretary of this Territory.

Sec. 4.—A signature and seal purporting to be his, will be entitled to the same force, as evidence, with a signature and seal of a

Notary Public.

SEC. 5.—Such Commissioner is authorized to demand for his services the same fees as may be allowed for similar services by the laws of the State or Territory in which he exercises his office.

SEC. 6.—Commissioners of the like nature appointed in this Territory under the authority of any State or other Territory of the United States, are hereby invested with all the authority of a Justice of the Peace; to issue subpœnas requiring the attendance of witnesses before them to give their testimony by deposition or affidavit in any matter in which their deposition or affidavit may be taken by the laws of such other State or Territory; and they are also authorized to administer in any matter in relation to which they are required or permitted by the laws of the other State or Territory; and false swearing in such cases is hereby made subject to the penal laws of this Territory relating to perjury.

Approved Feb. 18, 1868.

#### CHAPTER XV.

#### An ACT Incorporating Cedar City, in Iron County.

SEC. 1.—Be it enacted by the Governor and Legislative Assembly of the Territory of Utah: That all that portion of Iron County situated within the following boundaries, to wit: beginning at the mouth of Coal Creek Cañon, thence north three miles, thence west six miles, thence south six miles, thence east six miles, thence north three miles to the place of beginning, shall be known and designated under the name and style of Cedar City; and the inhabitants thereof are hereby constituted a body corporate and politic by the name and style aforesaid, and shall have perpetual succession, and may have and use a common seal, which they may change and alter at pleasure.

SEC. 2.—The inhabitants of said city, by the name and style afore-said, shall have power to sue and be sued, to plead and be impleaded, defend and be defended in all courts of law and equity and in all actions whatsoever; to purchase, receive and hold property, real and personal, in said city; to purchase, receive and hold real property beyond the city for burying grounds and other public purposes for the use of the inhabitants of said city; to sell, lease, convey or dispose of property, real and personal, for the benefit of said city; to improve and protect such property, and to do all other

things in relation thereto as natural persons.

SEC. 3.—There shall be a City Council, to consist of a Mayor and five Councilors, who shall have the qualifications of electors of said city, and shall be chosen by the qualified voters thereof, and shall hold their offices for two years, and until their successors shall be elected and qualified. The City Council shall judge of the qualifications, elections and returns of their own members, and a majority of them shall form a quorum to do business; but a smaller number may adjourn from day to day and compel the attendance of absent members, under such penalties as may be prescribed by ordinance; there shall also be elected in like manner two Justices of the Peace, who shall have the qualifications of voters, be commissioned by the Governor, and have jurisdiction in all cases arising under the ordinances of the city.

SEC. 4.—The Mayor and Councilors, before entering upon the duties of their offices, shall take and subscribe an oath or affirmation that they will support the Constitution of the United States and laws of this Territory, and that they will well and truly perform all the duties of their offices to the best of their skill and

abilities.

SEC. 5.—One Mayor and five Councilors shall be elected biennially, and the first election under this Act shall be at such time in said city, as the Probate Judge of Iron County shall direct: Provided, Said election shall be on or before the first Monday in August next. Said election shall be held and conducted as now is provided by law for the holding of elections for County and Terri-

torial officers; and, at the said first election, all electors within said

city limits, shall be entitled to vote.

Sec. 6.—The Clerks of election shall leave with each person elected, or at his usual place of residence, within five days after the election, a written notice of his election; and each person so notified shall within ten days after the election, take the oath or affirmation herein before mentioned, a certificate of which oath shall be deposited with the Recorder, whose appointment is hereinafter provided for, and be by him preserved; and all subsequent elections shall be held, conducted and returns thereof made as may be provided for by ordinance of the City Council.

SEC. 7.—The City Council shall have authority to levy and collect taxes for city purposes upon all taxable property, real and personal, within the limits of the city, not exceeding one half of one per cent. per annum upon the assessed value thereof; and may enforce the payment of the same, to be provided for by ordinance not repugnant to the Constitution of the United States or to the laws of this Territory.

SEC. 8.—The City Council shall have power to appoint a Recorder, Treasurer, Assessor and Collector, Marshal and Supervisor of Streets. They shall also have the power to appoint all such other officers, by ordinance, as may be necessary, define the duties of

all city officers, and remove them from office at pleasure.

SEC 9.—The City Council shall have power to require of all officers, appointed in pursuance of this Act, bonds with security, for the faithful performance of their respective duties, and also to require of all officers, appointed as aforesaid, to take an oath for the faithful performance of the duties of their respective offices.

Sec. 10.—The City Council shall have power and authority to make, ordain, establish and execute all such ordinances, not repugnant to the Constitution of the United States or the laws of this Territory, as they may deem necessary for the peace, benefit, good order, regulation, convenience and cleanliness of said city; for the protection of property therein from destruction by fire or otherwise, and for the health and happiness of the inhabitants thereof; and shall have control of the water and water courses leading to the city: Provided, That such control shall not be exercised to the injury of any rights already acquired by actual settlers thereon; and shall have control of the water courses and mill privileges within said city; but in no case shall they interfere with the natural rights of others heretofore acquired in relation to water. They shall have power to fill all vacancies that may happen by death, resignation. removal or otherwise, of any of the officers herein made elective; to fix and establish the fees of the officers of said corporation. The City Council shall have power to divide the city into wards, and specify the boundaries thereof.

Sec 11.—All ordinances passed by the City Council shall, within ten days after they shall have been passed, be published in some newspaper printed in said city, or certified copies thereof be posted up in three of the most public places in the city. They shall not

be in force until thus published or posted up.

SEC. 12.—All ordinances of the city may be proven by the seal of the corporation affixed thereto; and, when printed or published in book or pamphlet form, purporting to be printed or published by the authority of the corporation, the same shall be received in

evidence in all courts and places, without further proof.

SEC. 13.—The Justices of the Peace of said city shall have all the powers of other Justices of the Peace, both in civil and criminal cases arising under the laws of the Territory. They shall perform the same duties, be governed by the same laws, and give the same bonds and securities as other Justices of the Peace. They shall have exclusive jurisdiction in all cases arising under the ordinances of the corporation, and shall issue such process as may be necessary to carry such ordinances into execution. Appeals may be had from any decision or judgment of said Justices, arising under the ordinances of said city, or the laws of the Territory, to the Probate Court of said Iron County, in the same manner as appeals are or may be taken from other Justices of the Peace.

SEC. 14.—The Mayor shall be the chief executive officer of said corporation; he shall preside in the City Council, and shall have power to veto any ordinance when not passed by four-fifths ma-

jority, and it shall be his duty to sign all city ordinances.

SEC. 15.—The City Council shall have power to restrain, regulate or prohibit the running at large of cattle, horses, mules, sheep, swine, goats and all kinds of poultry; and to tax and regulate the keeping of dogs, and to authorize the destruction of the same when

at large contrary to city ordinance.

Sec. 16.—To license, regulate, prohibit or restrain the manufacturing, selling or giving away of spirituous, vinous or fermented liquors, tavern keepers, dram or tippling shop keepers, boarding, victualling or coffee houses, restaurants, saloons or other houses or places for the selling or giving away of ardent, vinous or fermented liquors.

SEC. 17.—The City Council shall have exclusive power, by ordinance, to regulate the police of the city; to license, tax and regulate auctioneers, merchants and retailers; to license, tax and regulate theatrical and other exhibitions, shows and amusements; to prohibit and suppress gaming, bawdy and other disorderly houses.

SEC. 18.—This Act shall be in force on and after the tenth day of April, one thousand eight hundred and sixty-eight, and may be amended or repealed at the pleasure of the Legislative

Assembly.

SEC. 19.—This Act shall not invalidate any act done by the present City Council of Cedar City or by its officers, nor divest their successors under this Act of any right, property or otherwise, or liability which may have accrued to or been created by said Council prior to the passage of this Act.

SEC 20.—An Act to incorporate Cedar City, in Iron County, Utah Territory, approved February 10th, 1852, is hereby repealed.

Approved Feb. 18, 1868.

#### CHAPTER XVI.

#### An ACT Incorporating Franklin City, in Cache County.

SEC. 1.—Be it enacted by the Governor and Legislative Assembly of the Territory of Utah: That all that district of country embraced in the following boundaries to wit: Commencing at a point eighty rods east from the northeast corner of Lorenzo H. Hatch & Co's grist mill, thence west four miles, thence south four and one half miles, thence east four miles, thence north four and one half miles to the place of beginning, shall be known and designated under the name and style of Franklin City, and the inhabitants thereof are hereby constituted a body corporate and politic by the name aforesaid, and shall have perpetual succession, and may have and use a common seal which they may change and alter at pleasure.

SEC. 2.—The inhabitants of said City, by the name and style aforesaid, shall have power to sue and be sued, to plead and be impleaded, defend and be defended in all courts of law and equity, and in all actions whatsoever; to purchase, receive and hold property, real and personal in said city; to purchase, receive and hold real property beyond the city, for burying grounds or for other public purposes, for the use of the inhabitants of said city; to sell, lease, convey or dispose of property, real and personal, for the benefit of said city; to improve and protect such property, and to do all other

things in relation thereto as natural persons.

SEC. 3.—There shall be a City Council, to consist of a Mayor and five Councilors, who shall have the qualifications of electors of said city, and shall be chosen by the qualified voters thereof, and shall hold their offices for two years, and until their successors shall be elected and qualified. The City Council shall judge of the qualifications, elections and returns of their own members, and a majority of them shall form a quorum to do business; but a smaller number may adjourn from day to day, and compel the attendance of absent members, under such penalties as may be prescribed by ordinance; there shall also be elected in like manner two Justices of the Peace, who shall have the qualifications of voters, be commissioned by the Governor, and have jurisdiction in all cases arising under the ordinances of the city.

SEC. 4.—The Mayor and Councilors, before entering upon the duties of their offices, shall take and subscribe an oath or affirmation that they will support the Constitution of the United States and the laws of this Territory, and that they will well and truly perform all the duties of their offices to the best of their skill and

abilities.

SEC. 5.—One Mayor and five Councilors shall be elected biennially, and the first election under this Act shall be at such times in said city as the Probate Judge of Cache County shall direct: Provided, Said election shall be on or before the first Monday in August next. Said election shall be held and conducted as is now provided by law for the holding of elections for County and Territorial

officers, and at the said first election all electors within said city

limits shall be entitled to vote.

SEC. 6.—The Clerks of election shall leave with each person elected, or at his usual place of residence, within five days after the election, a written notice of his election; and each person so notified shall, within ten days after the election, take the oath or affirmation hereinbefore mentioned, a certificate of which oath shall be deposited with the Recorder, whose appointment is hereinafter provided for, and be by him preserved; and all subsequent elections shall be held, conducted, and returns thereof made, as may be provided for by ordinance of the City Council.

SEC. 7.—The City Council shall have authority to levy and collect taxes for city purposes, upon all taxable property, real and personal, within the limits of the city, not exceeding one-half of one per cent. per annum upon the assessed value thereof; and may enforce the payment of the same, to be provided for by ordinance not repugnant to the Constitution of the United States or to the laws of this Territory.

SEC. 8.—The City Council shall have power to appoint a Recorder, Treasurer, Assessor and Collector, Marshal and Supervisor of Streets. They shall also have the power to appoint all such other officers, by ordinance, as may be necessary, define the duties of all

city officers and remove them from office at pleasure.

SEC. 9.—The City Council shall have power to require of all officers appointed in pursuance of this Act, bonds with security, for the faithful performance of their respective duties, and also to require of all officers appointed as aforesaid, to take an oath for the faithful performance of the duties of their respective offices.

SEC. 10.—The City Council shall have power and authority to make, ordain, establish and execute all such ordinances, not repugnant to the Constitution of the United States or the laws of this Territory, as they may deem necessary for the peace, benefit, good order, regulation, convenience and cleanliness of said city; for the protection of property therein from destruction by fire or otherwise. and for the health and happiness of the inhabitants thereof; and shall have control of the water and water courses leading to the city: Provided, That such control shall not be exercised to the injury of any rights already acquired by actual settlers thereon; and shall have control of the water courses and mill privileges within said city; but in no case shall they interfere with the natural rights of others heretofore acquired in relation to water. They shall have power to fill all vacancies that may happen by death, resignation, removal or otherwise, of any of the officers herein made elective; to fix and establish the fees of the officers of said corporation. The City Council shall have power to divide the city into wards and specify the boundaries thereof.

SEC. 11.—All ordinances passed by the City Council shall, within ten days after they shall have been passed, be published in some newspaper printed in said city, or certified copies thereof be posted up in three of the most public places in the city. They shall not

be in force until thus published or posted up.

SEC. 12.—All ordinances of the city may be proven by the seal of the corporation affixed thereto; and, when printed or published in book or pamphlet form, purporting to be printed or published by the authority of the corporation, the same shall be received in evi-

dence in all courts and places, without further proof.

Sec. 13.—The Justices of the Peace of said city shall have all the power of other Justices of the Peace both in civil and criminal cases arising under the laws of the Territory. They shall perform the same duties, be governed by the same laws and give the same bonds and securities as other Justices of the Peace. They shall have exclusive jurisdiction in all cases arising under the ordinances of the corporation, and shall issue such process as may be necessary to carry such ordinances into execution. peals may be had from any decision or judgment of said Justices, arising under the ordinances of said city or the laws of the Territory, to the Probate Court of said Cache County, in the same manner as appeals are or may be taken from other Justices of the Peace.

SEC. 14.—The Mayor shall be the chief executive officer of said corporation; he shall preside in the City Council, and shall have power to veto any ordinance when not passed by four-fifths majority, and it shall be his duty to sign all city ordinances.

SEC. 15. - The City Council shall have power to restrain, regulate, or prohibit the running at large of cattle, horses, mules, sheep, swine, goats and all kinds of poultry; and to tax and regulate the keeping of dogs, and to authorize the destruction of the same when

at large contrary to city ordinance.

Sec. 16.—To license, regulate, prohibit or restrain the manufacturing, selling or giving away of spirituous, vinous or fermented liquors, tavern keepers, dram or tippling shop keepers, boarding, victualing or coffee houses, restaurants, saloons or other houses or places for the selling or giving away of ardent, vinous or fermented liquors.

Sec. 17.—The City Council shall have exclusive power by ordinance to regulate the police of the city; to license, tax and regulate auctioneers, merchants and retailers; to license, tax and regulate theatrical and other exhibitions, shows and amusements: to pro-

hibit and suppress gaming, bawdy and other disorderly houses. Sec. 18.—This Act shall be in force on and after the first day of May, one thousand eight hundred and sixty-eight, and may be amended or repealed at the pleasure of the Legislative Assembly.

Approved Feb. 19, 1868.

#### CHAPTER XVII.

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An ACT changing the County Seat of Morgan County.

SEC. 1.—Be it enacted by the Governor and Legislative Assembly of the Territory of Utah: That the County Seat of Morgan County is hereby removed from the town of Littleton, in Morgan County, to Morgan City, in said county; and that so much of an act entitled "An Act defining the boundaries of counties and locating county seats," approved Jan. 10, 1866, as conflicts with this Act, is hereby repealed.
Approved Feb. 19, 1868.

---- o:----Act, is hereby repealed.

#### CHAPTER XVIII.

An ACT concerning Coroners, Justices of the Peace and Inquests.

SEC. 1.—Be it enacted by the Governor and Legislative Assembly of the Territory of Utah: That a Coroner shall be elected in each county, by the qualified voters thereof, at the general election to be held on the first Monday of August, in the year one thousand. eight hundred and sixty eight, and every second year thereafter, who shall hold his office two years, and until his successor is elected and qualified.

SEC. 2.—Before entering upon the duties of his office the Coroner shall give bonds with security, and take and subscribe an oath or affirmation that he will faithfully perform the duties of his office; said bonds and security must be made to the acceptance of the Pro-

bate Judge and be filed in his office.

SEC. 3.—It is the duty of the Coroner to perform all the duties of the Sheriff, in the absence of the Sheriff, and in cases where it appears from the papers of any court of record that the Sheriff is a party, and where an affidavit is filed with the clerk of the court stating a partiality, prejudice, consanguinity or interest on the part of the Sheriff, when the clerk or court shall direct process to the Coroner, whose duty it is to execute it in the same manner as if he were Sheriff.

SEC. 4.—No Coroner shall appear in any court as attorney or counsel for any party, nor shall be become the purchaser, either directly or indirectly, of any property by him exposed for sale under any process of law, and every such purchase is absolutely void. SEC. 5.—The Coroner or any Justice of the Peace shall hold an

inquest upon the dead bodies of such persons only as are supposed to have died by unlawful means. When he has notice of the dead body of a person supposed to have died by unlawful means found or being in his county or precinct, he is required to issue his warrant to the Sheriff or either of his deputies or any constable requiring him to forthwith summons any three qualified electors, that he can the most readily find, to appear before him at a time and place named in the warrant. SEC. 6.—The warrant may be in substance as follows:

Territory of Utah, County, Cou

To County. Precinct County.

In the name of the Territory of Utah you are hereby required to forthwith summon three qualified electors of your precinct to appear before me at (name the place) at (name the day and hour or say forthwith) then and there to hold an inquest upon the dead body of there lying, by what means he died.

Witness my hand this day of A.

Signed A. B., Coroner of County (or) E.

Precinct in County, (or) E. D., Justice County.

of the Peace in

SEC. 7.—The officer shall execute the warrant and make return

thereof at the time and place named.

SEC 8.—If any juror fails to appear, the Coroner or Justice of the Peace shall immediately cause the proper number to be summoned or returned from the bystanders and proceed to impannel them

and administer an oath in substance as follows:

"You do solemnly swear (or affirm) that you will diligently enquire and true presentment make, when, how and by what means the person whose body lies here dead came to his death, according to your knowledge and the evidence given you: So help you God."

SEC. 9.—The Coroner or Justice of the Peace may issue subponas for witnesses within his county, returnable forthwith, or at such time as he shall direct, and witnesses shall be allowed the same fees as in cases before a Justice of the Peace; and the Coroner has the same authority to enforce the attendance of witnesses and to punish them and jurors for contempt in disobeying his process as a Justice of the Peace has.

SEC. 10.—An oath (or affirmation) shall be administered to the

witnesses in substance as follows:

"You do solemnly swear (or affirm) that the testimony which you shall give to this inquest, concerning the death of the person whose body is here lying dead, shall be the truth, the whole truth and nothing but the truth: So help you God."

SEC. 11.—The Coroner or Justice of the Peace may require the

testimony to be written and subscribed to by the witnesse.

SEC. 12.—The jurors, having inspected the body, heard the testimony and made all needful inquiries, shall return to the Coroner or Justice of the Peace their inquisition in writing, subscribed to by them, and stating the matters, so far as found, in substance according to the following suggested form:

Territory of Utah, and the state of the stat

County, An inquisition holden at the in precinct County on the day of A. D., 18 Coroner of said County (or Justice of the Peace before

in precinct in said County) upon the body of

(or person unknown) there lying dead, by the jurors whose names are hereto subscribed. The said jurors upon their oaths do say (here state when, how, by what person, means, weapon or accident, he came to his death, and whether feloniously.)

In testimony whereof the said jurors have hereunto set their

hands the day and year aforesaid. Trother I selt to suggest of

(The foregoing inquisition must be attested by the Coroner or

Justice of the Peace.)

SEC. 13.—If the inquisition find that a crime has been committed on the deceased and name the person whom the jury believe has committed it, the inquest shall not be made public until after the arrest directed in the next section.

SEC. 14.—If the person charged be present, the Coroner or Justice of the Peace may order his arrest by an officer or any other person present, and shall there make a warrant requiring the offi-

cer or other person to take him before a Justice of the Peace.

SEC. 15.—If the person charged be not present and the Coroner or Justice of the Peace believes that he can be taken, the Coroner or Justice of the Peace may issue a warrant to the Sheriff and Constables of the County requiring them to arrest the person and take him before a Justice of the Peace, when he shall be dealt with as a person held under a complaint in the usual form.

SEC. 16.—The warrant of the Coroner or Justice of the Peace shall substantially recite the transactions before him and the verdict of the jury of inquest leading to the arrest, and such warrant shall be a sufficient foundation for the proceeding of the Justice,

instead of a complaint.

SEC. 17.—The Coroner or Justice of the Peace shall return to the Probate Court the inquisition, the written evidence, and a list of

the witnesses who testify material matter.

SEC. 18.—The Coroner or Justice of the Peace shall cause the body of a deceased person, which he is called to view, to be delivered to his friends, if any be present or within convenient distance; but if not, he shall cause it to be decently buried and the expense to be paid from any property of the deceased, or if there be none, from the County Treasury, by certifying an account of the expenses, which, being presented to the County Court, shall be allowed by them, if deemed reasonable, or so much thereof as they may deem reasonable, and paid as other claims on the County.

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SEC. 19.—For a view of each body and for taking and returning inquest. \$5 00

For a view of each body and for examination without inquest 3 00

Each subpœna, warrant or venire. 0 25

For each mile traveled to and returning from an inquest or examination. 0 10

The above fees are to be paid from the County Treasury where they cannot be obtained from the estate of the deceased.

For all other services the Coroner is entitled to the same fees as

are allowed to Sheriffs in similar cases.

In taking an inquisition, if deemed requisite by the Coroner, Jus-

tice of the Peace or jury, one or more physicians or surgeons may be summoned to make a scientific exaimnation and in such cases may be allowed a reasonable compensation instead of witness fees.

SEC. 20.—Section eighteen of "An act in relation to Justices of the Peace," approved February 4, 1852, is hereby repealed. Approved Feb. 20, 1868.

#### CHAPTER XIX.

An ACT Incorporating Mount Pleasant, in Sanpete County.

SEG. 1.—Be it enacted by the Governor and Legislative Assembly of the Territory of Utah: That all that portion of Sanpete County embraced within the following boundaries to wit: beginning at the mouth of Cedar Creek Canon, thence running westwardly down the centre of the channel of said Cedar Creek to the bridge on the road leading from Springtown to Mount Pleasant, as traveled at the present time, giving half the waters of Cedar Creek to Springtown during the season of irrigation, and from said bridge running a due west course until it shall intersect the eastern boundary of Moroni City, thence north along said eastern boundary four miles, thence eastwardly, crossing Sanpitch River to Birch Creek, thence up the centre of said Birch Creek to the mountains, giving half the waters of said Birch Creek to Mount Pleasant, and the other half to Fairview, thence southwardly along the slopes of the mountains to the place of beginning, shall be known and designated under the name and style of Mount Pleasant, and the inhabitants thereof are hereby constituted a body corporate and politic by the name aforesaid, and may have and use a common seal. which they may change and alter at pleasure.

SEC. 2.—The inhabitants of said city, by the name and style: aforesaid, shall have power to sue and be sued, to plead and be impleaded, defend and be defended in all courts of law and equity. and in all actions whatsoever; to purchase, receive and hold property, real and personal, in said city; to purchase, receive and hold real property beyond the city for burying grounds or other public purposes, for the use of the inhabitants of said city; to sell, lease, convey or dispose of property, real and personal, for the benefit of said city; to improve and protect such property, and to do all other

things in relation thereto as natural persons.

SEC. 3.—There shall be a City Council, to consist of a Mayor and: five Councilors, who shall have the qualifications of electors of said city, and shall be chosen by the qualified voters thereof, and

shall hold their offices for two years and until their successors shall be elected and qualified. The City Council shall judge of the qualifications, elections and returns of their own members, and a majority of them shall form a quorum to do business; but a smaller number may adjourn from day to day and compel the attendance of absent members under such penalties as may be prescribed by ordinance; there shall also be elected in like manner two Justices of the Peace, who shall have the qualifications of voters, be commissioned by the Governor, and have jurisdiction in all cases arising under the ordinances of the city.

SEC. 4.—The Mayor and Councilors, before entering upon the duties of their offices, shall take and subscribe an oath or affirmation that they will support the Constitution of the United States and the laws of this Territory, and that they will well and truly perform all the duties of their offices to the best of their skill and

abilities.

SEC. 5.—One Mayor and five Councilors shall be elected biennially, and the first election under this Act shall be at such time in said City as the Probate Judge of Sanpete County shall direct: Provided, Said election shall be on or before the first Monday in August next. Said election shall be held and conducted as is now provided by law for the holding of elections for County and Territorial officers; and at the said first election all electors within said

city limits shall be entitled to vote.

SEC. 6.—The clerks of election shall leave with each person elected, or at his usual place of residence, within five days after the election, a written notice of his election; and each person so notified shall, within ten days after the election, take the oath or affirmation hereinbefore mentioned, a certificate of which oath shall be deposited with the Recorder, whose appointment is hereinafter provided for, and be by him preserved; and all subsequent elections shall be held, conducted and returns thereof made as may be provided for by ordinance of the City Council.

SEC. 7.—The City Council shall have authority to levy and collect taxes for city purposes upon all taxable property, real and personal, within the limits of the city, not exceeding one half of one per cent. per annum upon the assessed value thereof; and may enforce the payment of the same in any manner to be provided by ordinance not repugnant to the Constitution of the United States.

or the laws of this Territory!

er, Treasurer, Assessor and Collector, Marshal and Supervisor of Streets. They shall also have the power to appoint all such other officers, by ordinance, as may be necessary; define the duties of all city officers and remove them from office at pleasure.

SEC: 9.—The City Council shall have power to require of all officers appointed in pursuance of this Act, bonds with security for the faithful performance of their respective duties, and also to require of all officers appointed as aforesaid, to take an oath for the faithful performance of the duties of their respective offices.

SEC. 10—The City Council shall have power and authority to make, ordain, establish and execute all such ordinances, not re-

pugnant to the Constitution of the United States or the laws of this Territory, as they may deem necessary for the peace, benefit, good order, regulation, convenience and cleanliness of said city; for the protection of property therein from destruction by fire or otherwise, and for the health and happiness of the inhabitants thereof; and shall have control of the water and water courses leading to the city: Provided, That such control shall not be exercised to the injury of any rights already acquired by actual settlers thereon or any rights granted in this charter; and shall have control of the water courses and mill privileges within said city; but in no case they interfere with the natural rights of others acquired in relation to water privileges within said city. They shall have power to fill all vacancies, that may happen by death, resignation, removal or otherwise, in any of the offices herein made elective; to fix and establish the fees of the officers of said corporation, to impose such fines, not exceeding one hundred dollars, and imprisonment not exceeding six months, for each offense, for the breach or violation of any city ordinances; to divide the city into wards, and specify the boundaries thereof.

Sec. 11.—All ordinances passed by the City Council shall, within ten days after their passage, be published in some newspaper printed in said city, or certified copies thereof be posted up in three of the most public places in the city. They shall not be in force

until thus published or posted up.

SEC. 12.—All ordinances of the city may be proven by the seal of the corporation; and when printed or published in book or pamphlet form, purporting to be printed or published by the authority. of the corporation, the same shall be received in evidence in all

courts and places, without further proof.

SEC. 13.—The Justices of the Peace of said city shall have all the powers of other Justices of the Peace, both in civil and criminal cases arising under the laws of the Territory. They shall perform the same duties, be governed by the same laws, give the same bonds and securities as other Justices of the Peace. They shall have exclusive jurisdiction in all cases arising under the ordinances of the corporation, and shall issue such process as may be necessary to carry such ordinances into execution. Appeals may be had from any decision or judgment of said Justices, arising under the ordinances of said city, or the laws of this Territory, to the Probate Court of Sanpete County, in the same manner as appeals are or may be taken from other Justices of the Pcace.

Sec. 14.—The Mayor shall be the chief executive officer of said corporation: he shall preside in the City Council, and shall have power to veto any ordinance when not passed by four-fifths majority, and it shall be his duty to sign all city ordinances.

SEC. 15.—The City Council shall have power to restrain, regulate or prohibit the running at large of cattle, horses, mules, sheep, swine, goats and all kinds of poultry; and to tax and regulate the keeping of dogs, and to authorize the destruction of the same when at large contrary to city ordinance.

SEC. 16.—To prohibit or restrain the manufacturing, selling or giving away of spirituous, vinous or fermented liquors; to tax

and regulate hotel keepers, boarding, victualing or coffee houses, restaurants, saloons or other houses or places of entertainment.

SEC. 17.—The City Council shall have exclusive power, by ordinance, to regulate the police of the city; to license, tax and regulate auctioneers, merchants, retailers and theatrical and other exhibitions, shows, amusements and gaming; to restrain, prohibit and suppress gambling, bawdy and other disorderly houses.

SEC. 18.—This Act shall be in force on and after the first Monday in April, 1868, and may be amended or repealed at the pleasure of the Legislative Assembly.

Approved Feb. 20, 1868.

CHAPTER XX.

Be it enacted by the Governor and Legislative Assembly of the Territory of Utah: That "An Act appropriating money for educational purposes and defining certain duties of the Chancellor and Board of Regents of the University of the State of Deseret," "approved December 28th, 1855," is hereby repealed. Approved Feb. 20, 1868.

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# The electronic contract of the CHAPTER XXI.

An ACT Amendatory of and Supplementary to an Act entitled "An Act establishing a Territorial road from Great Salt Lake City to Wanship, Summit County," Approved Jan. 19, 1866.

SEC. 1—Be it enacted by the Governor and Legislative Assembly of the Territory of Utah: That a Superintendent of the Territorial Road from Salt Lake City to Wanship, Summit County, shall be elected by the joint vote of the Legislative Assembly, whose term of office shall be four years and until his successor is elected and qualified, unless sooner superseded by Legislative election; and he

shall file bonds with approved security in the office of the Auditor of Public Accounts, in the penal sum of ten thousand dollars (\$10,-000) conditioned for the faithful performance of the duties of his office, payable to the people of the Territory of Utah, which bonds

may be increased at the discretion of the Auditor.

SEC. 2.—Said road is hereby divided into two sections. That part of the road lying between Charles Decker's residence in Salt Lake County and the summit of the dividing ridge; about two miles westerly from Ferguson's settlement in Summit County, shall be the first section. From said summit to Wanship shall be the second section. The toll gate of the first section shall be just below the junction of the Lamb's Cañon Road. The toll gate of the second section shall be as at present, located in Silver Creek Cañon.

SEC. 3.—The rates of toll at each gate shall be as follows: for every vehicle drawn by one or two animals, fifty cents; for each additional pair of animals fifty cents; every horse or mule and rider ten cents; for every score of loose cattle, horses or mules fifty cents; for every score of sheep or swine twenty-five cents: Provided, however, that the Superintendent shall suspend the collecting of toll at each or either of the gates at any time from the first of December to the first of April following, when there is deep snow or mud.

SEC. 4.—The Superintendent shall appoint the necessary toll collectors and prescribe their duties. Each toll collector shall file sufficient bonds with the Superintendent, conditioned for the faithful performance of his duties, and the Superintendent is hereby empowered to employ the necessary laborers and teams, also to furnish all necessary materials, and see that the same is properly applied, and all employees on said road shall receive their pay in

kind collected for toll.

SEC. 5.—The toll herein provided for shall be expended by the Superintendent in improving and repairing said road and defraying incidental expenses accruing thereon; but he shall in no case expend more than the amount of tolls received. He shall also take possession of the tools and other property belonging to the road, collect the accounts and bills receivable and apply the proceeds on the road. He shall also keep an accurate account of all receipts and disbursements, and his own time in the discharge of his duties as Superintendent, and may apply not to exceed \$500.00 in kind of the toll collected for his services and report the same to the Legislative Assembly annually, during the first week of its session.

SEC. 6.—The Territorial Road Commissioner is hereby required to deliver over to the Superintendent, herein contemplated, all books, accounts, tools and other property belonging to the road.

SEC. 7.—The Warden of the Utah Penitentiary may apply the labor of the convicts on said road so far as practicable, under the

directions of the Superintendent.

SEC. S.—Sections eleven and twelve of "An act establishing a Territorial Road from Great Salt Lake City to Wanship, Summit County," approved Jan. 19, 1866, are hereby amended by striking out the words "Road Commissioner" and inserting in the place there-

of the word Superintendent; and sections four, five and six and all of section three excepting the proviso; and so much of sections two and seven of said Act as conflict with the provisions of this 'Act: and an act entitled "An act to amend an act establishing a Territorial Road from Great Salt Lake City to Wanship, Summit County," approved January 18, 1867, are hereby repealed.

Approved Feb. 21, 1868.

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## CHAPTER XXII. 1 TO THE STATE OF THE STATE OF

An ACT defining the meaning of the term Common Schools, and in relation to the further duties of County and Territorial Superintendents of Common Schools.

Sec. 1.—Be it enacted by the Governor and Legislative Assembly of the Territory of Utah, that all schools organized by the direction of the Board of Trustees in the respective School Districts of this Territory, which are under the supervision of said Trustees. shall be known, in law, by the name and title of Common Schools, and shall be entitled to a just and equitable proportion of any public Shool Fund, arising from the General Government or by Legislative enactment of the Territory.

SEC. 2.—The County Superintendents of Common Schools, now in office, and their successors, before entering upon the duties of their offices, shall respectively give bonds with approved security in such sums as shall be approved by the County Court, which

bonds shall be filed with the Clerk of said Court.

SEC. 3.—The Territorial Superintendent of Common Schools, now in office and his successor, before receiving or disbursing any public School Fund, shall give bonds with approved security, in the sum of ten thousand dollars to the Auditor of Public Accounts. who shall file the same in his office and the said sum may be increased or diminished by the Legislature, according to the maguitude of the Public School Funds entrusted to said Superintendent.

SEC. 4.—The Trustees of Common Schools shall be elected by the voters, residents and owners of taxable property in their respective School Districts. For the election of Trustees and for the vote on the rate per cent. on the taxes to be assessed, notice shall be given, at least ten days before the time appointed by advertising in some newspaper having a general circulation, or by posting up notices in three of the most public places in the District, of the time, place and object of the meeting; said notice shall be given by at least five permanent residents of the District, but if the District be organized then said notice shall be given by the Trustees. At such meeting Trustees may be elected or a tax levied viva voce or by ballot, as the

meeting may determine.

SEC. 5.—The County Superintendents of Common Schools are hereby authorized and required to proceed against all delinquent County Pound Keepers, or other parties who have failed or shall fail to pay into the respective County Treasuries the School Funds due to said Treasuries or which may hereafter become due arising from the sales of estray cattle or from any other sources and shall pay all amounts thus collected into said Treasuries.

Sec. 6.—The personal property of any resident in a School 'District which may be without the bounds of any School District shall

be taxed by the Trustees of the District in which he resides.

SEC. 7.—It shall be the duty of the Territorial Treasurer to report to the Territorial Superintendent of Common Schools, on the first of December annually the amounts received for school purposes.

SEC. 8.—It shall be the duty of County Superintendents to report annually to the Territorial Superintendent the amount of moneys received and how disbursed, who shall embody these items to him so returned, and all other receipts and expenditures of School Funds in his annual report to the Legislature.

SEC. 9.—Nothing in this Act or in any former Act shall be construed so as to appropriate any part of the public School Funds to any private, select or high school or any boarding school, or academy, or any school whatsoever not under the immediate control and

direction of the School District Trustees.

SEC. 10.—That section sixth, of an Act entitled "An act providing for the establishment and support of Common Schools," approved January ninteenth, one thousand eight hundred and sixty six, is hereby repealed.

Approved, February 21, 1868.

CHAPTER XXIII.

An ACT defining the eastern boundary of Juab County. - An ACT defining the eastern boundary of Juab County.

SEC. 1.—Be it enacted by the Governor and Legislative Assembly of the Territory of Utah: That the eastern boundary of Juab County shall be as follows: Beginning at a point where the southern boundary of Utah County crosses the summit of the Nebo range of mountains, thence south along the summit of said range passing around the head of Salt Creek Cañon and crossing the Sanpete road where it first rises upon the divide, at the head of the

canon from the west, thence following the summit of the range of mountains between Juab, Chicken Creek and Sanpete valleys, to a point due east from where the Gunnison road crosses the divide between Chicken Creek and Sevier valley; thence on a straight line southwesterly to the north boundary of Millard County, crossing the Sevier river at the upper Bluff Rocks at the south end of Cedar Ridge. 13. 171 9"1 1 500 Dov' " og or a officer of it

SEC. 2.—So much of section eight of "An Act defining the boundaries of Counties and locating County Seats," "approved January 10, 1866," as appears to conflict with this Act, is hereby repealed.

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stricte en coper in our etch in the Eligible to An ACT amendatory and supplementary to the Charter of St. Sitts . . . . . . . . . . . . . . . . George City. 7 . 0. 16 m to whe were to . . . . . . . . . . . . . . . .

SEC. 1.—Be it enacted by the Governor and Legislative Assembly of the Territory of Utah: That "An Act to incorporate the city of St. George, in Washington County," "approved Jan. 17, 1862," be amended in second line of section 3, and first line of section 5, so as to read five instead of three.

SEC. 2.—The City Council shall have power within the city by ordinance, to annually levy and collect off each male inhabitant between the ages of eighteen and sixty years, one day's work, or in default thereof two dollars lawful money, to be applied upon the

streets and water sects of said city.

SEC. 3.—To make regulations to prevent the introduction of contagious diseases into the city; to make quarantine laws and enforce the same within the city and around it not exceeding twelve miles next beyond the boundaries thereof; to establish, erect and control hospitals, infirmaries and medical colleges; to purchase grounds for their erection, and improve and adorn the same; and license, control and regulate physicians and surgeons.

SEC. 4.—To forbid the selling or giving away of any ardent spirits, or other intoxicating liquors, to any child, apprentice or servant without the consent of his or her parent, guardian, master or

mistress, or to any Indian.

SEC. 5.—To license, tax, regulate, suppress or prohibit billiard tables, nine or ten pin alleys or table and ball alleys; to suppress or restrain all disorderly houses and groceries; to authorize the destruction and demolition of all instruments and devices used for the purpose of gambling; to prevent any riot, noise, disturbance or disorderly assemblage; to restrain and punish vagrants, mendi-

cants, street beggars and prostitutes.

SEC. 6.—To regulate, license, suppress or prohibit all exhibitions of common showmen, shows of every kind, concerts or other musical entertainments, exhibitions of natural or artificial curiosities, caravans, circuses, theatrical performances, ball rooms and all other exhibitions and amusements.

SEC. 7.—To prevent horse racing, immoderate riding or driving in the streets, and to authorize their being stopped by any person; to punish or prohibit the abuse of animals; to compel persons to put up posts in front of their lots to fasten their horses or other animals to; to compel the fastening of horses, mules, oxen or other animals attached to vehicles while standing or remaining in the streets

SEC. 8.—To compel the owner or occupant of any grocery, cellar, tallow chandler shop, soap factory, tannery, stable, barn, privy, sewer or any unwholesome place to cleanse, remove or abate the same from time to time as often as may be necessary for the health,

comfort and convenience of the inhabitants of said city.

SEC. 9.—To direct the location and management of and regulate breweries, and to direct the location, management and construction of and restrain or prohibit within the city, distilleries, slaughtering establishments, and establishments for steaming and rendering lard, oil, tallow, offal and such other substances as can or may be rendered; and all establishments or places where nauseous, offensive or unwholesome business may be carried on.

SEC. 10.—To define and declare what are nuisances, and to authorize and direct the summary abatement thereof and punish

the authors by fine or imprisonment.

SEC. 11—To control, regulate, repair, amend and clear the streets, bridges, alleys, sidewalks or crosswalks; and open, widen, straighten or vacate streets and alleys, and put drains or ditches and sewers therein; and prevent the encumbering of the streets in any manner, and protect the same from any encroachment and injury.

SEC. 12.—To lay out, improve and regulate the public grounds belonging to the city; to direct and regulate the planting and preserving trees in the streets and public grounds; and to regulate the

fencing of lots within the bounds of the city.

SEC 13.—To grant and issue licenses, and direct the manner of issuing and registering thereof and the fees to be paid therefor. Bonds may be taken on the granting of licenses for the due observance of the ordinances or regulations of the City Council.

SEC. 14.—To license, tax and regulate merchants and retailers, auctioneers, distillers, brewers, brokers, pawnbrokers and money

changers.

SEC. 15.—To license, tax, regulate or suppress hawkers, peddlers and butchers; and to revoke any and all licenses, for malconduct

in the course of trade.

SEC. 16.—To establish, govern and regulate markets and other public buildings, provide for their erection and determine their location, and to provide for the erection of all needful buildings for the use of the city and for inclosing, improving and regulating all public grounds belonging to the city.

SEC. 17.—To provide for taking the enumeration of the inhabitants of the city; to regulate the burial of the dead, and registration of births and deaths; to direct the returning and keeping of bills of mortality; and to impose penalties on physicians, sextons and others for any default in the premises.

SEC. 18.—To appoint watchmen and policemen, and prescribe

their duties and powers.

SEC. 19.—To regulate the measuring and inspection of lumber, shingles, timber, posts; staves and heading, and all building materials and all kinds of mechanical work; and appoint one or more inspectors therefor.

Sec. 20.—To regulate the inspection of whisky and other liquors to be sold in barrels, hogsheads or other vessels; to appoint inspectors, weighers and guagers, and regulate their duties and prescribe

their fees.

SEC 21.—To require every merchant, retailer, trader and dealer in merchandise or property of any description, which is sold by measure or weight, to cause their weights and measures to be sealed by the City Sealer, and to be subject to his inspection; the standard of which weights and measures shall be conformable to those established by law.

SEC. 22.—To establish, make and regulate public pumps, wells, cisterns, hydrants and reservoirs; to distribute, control and so regulate the waters flowing into the city, as may be most advantageous, and to prevent waste of water or damage to streets or other pro-

perty.

SEC. 23.—To borrow money on the credit of the city: Provided, That the interest on the aggregate of all the sums borrowed and outstanding shall not exceed one-fourth of the city revenue arising from taxes assessed within the corporation during the preceding

year.

SEC. 24.—The City Council shall have power, from time to time, to require further and other duties of all officers whose duties are herein provided; and prescribe the duties and powers of all officers whose duties are not herein specifically mentioned, and arrange the fees and fix the compensation of all officers, jurors, witnesses and others.

SEC 25.—The City Council shall have power to provide for the punishment of offenders and vagrants by imprisonment in the city or county jail, or by compelling them to labor on the streets or other public works until the judgment rendered against them shall be fully satisfied in all cases where such offender or vagrant shall fail or refuse to pay the flues and forfeitures which may be recovered against them.

SEC. 26.—If any person, having been an officer in St. George City, shall not within ten days after notification and request, deliver to his successor in office all the property, papers and effects of of every description in his possession belonging to said city or appertaining to the office he held, he shall forfeit and pay for the use of the city not exceeding one hundred dollars besides all damages, caused by his neglect or refusal to so deliver.

SEC 27.—When it shall be necessary to take private property for opening, widening or altering any public street, lane, avenue or alley, the corporation shall make a just compensation therefor to the person whose property is so taken; and if the amount of such compensation cannot be agreed upon, the Mayor shall cause the same to be ascertained by a jury of six disinterested men, who shall be inhabitants of the city. All jurors empanneled to inquire into the amount of benefit or damage that shall happen to the owners of property so proposed to be taken, shall first be sworn to that effect, and shall return to the Mayor or presiding officer of the City Council, their inquest in writing, signed by each juror.

SEC. 28.—The cemetery lots which have been or may hereafter be laid out and sold by said city for private places of burial, shall, with their appurtenances, forever be exempt from taxation, exe-

cution or attachment.

SEC. 29.—All ordinances, resolutions and regulations now in force in St. George City and not inconsistent with this Act, shall remain in force until altered, modified or repealed by the City

Council after this Act shall take effect.

SEC. 30.—All plots and surveys of lands, lots or other places within said city, heretofore surveyed by the Surveyor, and all plots and surveys of lands, lots or other places that may hereafter be surveyed and all certificates of surveys given by him shall be deemed valid in law by this Act.

SEC. 31.—This Act shall be deemed a public act and may be read in evidence without proof, and judicial notice shall be taken there-

of in all courts and places.

SEC. 32.—This Act shall not invalidate any act heretofore done by the City Council of St. George City, or by its officers, nor divest their successors under this Act of any rights, property or otherwise, or liability which may have accrued to or been created by

said Council prior to the passage of this Act.

SEC. 33 —All officers of the city created conservators of the peace shall have power to arrest, or cause to be arrested, with or without process, all persons who shall break the peace; commit for examination, and, if necessary, detain such persons in custody forty-eight hours in the city prison or other safe place; and shall have and exercise such other powers as conservators of the peace, as the City Council may prescribe.

SEC. 34.—Nothing in this Act'shall be so construed as to deprive the City Council of St. George City of any power or authority, conferred upon them by the Act incorporating said city; but said City Council shall possess, exercise and enjoy all the powers and authority heretofore conferred upon them, except so far as such powers and authority have been expressly modified of repealed by

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Approved Feb. 21, 1808.

## TO CHAPTER XXV.

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An ACT Authorizing the re-location of the Territorial Road from Wanship to Coalville, Summit County.

SEC. 1.—Be it enacted by the Governor and Legislative Assembly of the Territory of Utah: That the Territorial Road Commissioner is hereby authorized and required to re-locate the Territorial Road from Wanship to Coalville, Summit County. Approved Feb. 21, 1868.

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## CHAPTER XXVI.

## An ACT Concerning Libel.

SEC. 1.—Be it enacted by the Governor and Legislative Assembly of the Territory of Utah: That a libel is the malicious defamation of a person made public by any printing, writing, sign, picture, representation or effigy, tending to provoke him to wrath or expose him to public hatred, contempt or ridicule, or to deprive him of the benefits of public confidence and social intercourse; or any malicious defamation, made public as aforesaid, designed to blacken and vilify the memory of one who is dead, and tending to scandalize or provoke his surviving relatives or friends.

Sec. 2.—No printing, writing or other thing is a libel unless there has been a publication thereof, but the delivery, selling, reading or otherwise communicating a libel or causing the same to be delivered, sold, read or otherwise communicated to one or more

persons or to the party libelled, is a publication thereof.

SEC. 3.—Every person who makes, composes or dictates a libel or procures the same to be done, or who publishes or circulates such libel, or in any way knowingly aids or assists in making, publishing or circulating the same, shall be punished by imprisonment not more than one year, or by fine not exceeding one thousand dollars, and shall be liable to a civil suit for damages.

SEC. 4.—In all prosecutions or indictments for libel, the truth thereof may be given in evidence to the jury, and if it appear to them that the matter charged as libelous was true and was published with good motives and for justifiable ends, the defeudant

may be acquitted.

SEC. 5.—In all trials for libel, the jury after having received the direction of the Court shall have the right to determine, at their discretion, the law and the fact.

Approved Feb. 21, 1868,

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## CHAPTER XXVII;

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## Territorial Appropriation Bill.

Be it enacted by the Governor and Legislative Assemble Territory of Utah: That there be paid out of any mon Territorial Treasury, not otherwise appropriated, the amounts, viz:—	ev in the
To William Clayton for salary and extra services for the	t d.
year one thousand eight hundred and sixty seven, as	· 00 = 0.5
Auditor of Public Accounts, one thousand dollars	\$ 1000,00
To David O. Calder for services as Territorrial Treasurer	1
for the year one thousand eight hundred and sixty.	
seven, four hundred dollars	400 00
To Albert P. Rockwood for services as Warden of the	}
Penitentiary for the year one thousand eight hundred and sixty-seven, one thousand two hundred dollars	1900 000
To Robert L. Campbell, Superintendent of Common	1200,00
Schools, for services for the year one thousand eight	1
hundred and sixty-seven, four hundred dollars	400 00
For printing forms, etc., thirty-five dollars	35 00
For stationery for sixty-seven and sixty-eight, inciden-	4.1
tals and postage, sixty-five dollars	65 00
To enable the Superintendent to visit County Superin-	
tendents and School Trustees, and schools, and advise	
with local authorities in relation to school interests, to	
be paid out of the School Fund, three hundred dollars	, 300 00
To Hiram K. Cranney for services rendered the Auditor in the collection of delinquent taxes in Cache County,	, , , ]
fifty dollars	50 00
For the relief of Adam M. Paul, severely wounded in an	50 00
Indian expedition to Sanpete, three hundred dollars	300 00
To Archibald Gardner for relief for building bridge	7 000 000
across the Jordan River, one thousand dollars	1000.00
To indemnify the Auditor for amount paid the Warden	
of the Penitentiary, in excess of appropriation, one	1111
thousand eight hundred dollars	1800.00
For Penitentiary purposes for the ensuing year, two	77
thousand dollars To be drawn on the order of Lieutenant-General Daniel	2000 00
H. Wells, for incidental expense of the Adjutant-Gen-	· s:
eral's Office for the year one thousand eight hundred	-i. Top
and sixty-eight, two thousand dollars	2000 00
To defray, in part, expenses of Indian war, ten thou-	2000 00
sand dollars	10000 .00
For stationery for Auditor's Office for one thousand	1200,00
eight hundred and sixty-eight, and postage for one	11
thousand eight hundred and sixty-seven, ninety-six	1 / 500
dollars and fifty cents	96.50
To indemni y Auditor for Warrants issued in excess of	70
appropriations as specified in his report of February	U. 用节川

thirteenth, one thousand eight hundred and sixty-	ტ 4		<b>*</b> ^
eight, one hundred and four dollars and fifty cents To Deseret News Office for printing order books and cir-	\$ 1	104	OU
culars to Assessors and Collectors, twenty-three dollars		23 (	00
To pay for printing marks and brands for the year 1868,	13 1 1/10	00 (	20
To cancel amount expended in excess of appropriation	1, 1,0	ייייי ייייי	30
to build a bridge across Ogden river, one thousand four	1.1.	170	ì
hundred and ninety-five dollars and fifteen ceuts	14	95 [1	15
To cancel amount expended in excess of appropriation on road between Huntsville and Bear Lake Valley,	10 11	11197,	
two hundred and forty-four dollars and fifty-two cents	71 2	244	52
To cancel amount expended in excess of appropriation	43	Tol	
on Jordan bridge and the State road ruuning west from Salt Lake City, three hundred and seventy-six	. 13	750	1
dollars and twenty-five cents	3	76	25
To cancel amount expended on the Sevier bridge, two		200	
hundred dollars	111	72.	UU
ney-General for 1867, four hundred dollars	2	100	00
To cancel amount expended by Superintendent on Salt Lake City and Wanship wagon road, ten thousand	lill	[ [1]	-
six hundred and eighty-one dollars and thirty-nine	tatio	F 11	7.1
cents	100	381	39
Out of taxes due from Washington County for 1867, to make up the balance appropriated Jan. 18, 1867, as specified in Auditor's report of Feb. 13, 1868, three	1	19	
specified in Auditor's report of Feb. 13, 1868, three	1	111	
hundred and fifteen dollars and forty-nine cents	11811	15	19
To relocate and work the road between Dog Valley and Cove Creek in Millard County, under the direction of	1991	1 (1)	
Thomas Callister, five hundred dollars	)	500	00
To assist Beaver County to build a bridge across the	11111	I L	
Beaver above Minersville, under the direction of the County Court of Beaver County, five hundred dollars	ilon,	500	00
For altering and improving the road between Beaver	1 !	1 1	3.7
Dam Wash and the Valley of the Muddy, Washing-	13.1	in	
ton County, under the direction of E. Snow, one thousand five hundred dollars	11	500	00
To improve road between Farmington and the mouth of	1	11 -	,
Weber Cañon, on condition that the County Court of	7)))	211	}"  "
Davis County, appropriate the like sum, five hundred dollars		500	00
To assist in building a bridge across the Provo River, on	3	111	
condition that Utah County complete the bridge, seven thousand dollars	13:17	000	00
To Deseret Telegraph Company for sundry military	17.2	[] }	4
messages during the late Indian War, eight hundred	i j	857	00
and fifty-seven dollarsTo Theodore McKean for services as Road Commission-	1 6 - 1	2. 1	
er for the year 1867, five hundred dollars	1191	500	
Books, stationery, telegrams and postage, seventeen dol- lars and fifty cents	Alte.	17	
iais and mity comes			-

To be expended on the road between Huntsville and	3
Bear Lake Valley, five hundred dollars	600 00
To reimburse Charles C. Rich for building bridge across	1
Blacksmith's Fork, on the road from Huntsvihe to	4
Bear Lake Valley, four hundred and fifty dollars	450 00
To Charles W. Stayner for services as engrossing c'erk	1.00
of the Council during this session, seventy five dollars	75 00
To Abraham F. Doremus, for services as engrossing	
clerk for the House, seventy five dollars	75 00
To be drawn on the order of Robert L. Campbell, for	10 00
extra clerk and engrossing service, fifty dottars	50 00
For relief of Patrick Lynch for services, stationery and	00 00
rent of office as eark of third District Court in and for	
Utah Territory, three hundred and sixty-one dollars	*
and severty five cents	361 75
For relief of J. D. T. McAllister, for services as Territo-	001 10
rial Marshal, office rent, etc., six hundred and thirty-	4
two dollars and thirty-five cents	632 35
John D. T. McAllister, to pay Salt Lake County for use	002 00
of court and jury rooms from Jan. 1, 1867, to Jan. 19,	
1868, three hundred and five dollars	805 00
To the University of the State of Descret, to be drawn by	000 00
the Chancellor and expended under the direction and	
control of the Chancellor and Board of Regents in	5.4
procuring books for Common Schools in the Territory	
ten thousand dollars	10000 00
To build a bridge across the American Fork and ini-	20050 05
proving the Ter. itorial Road between American Fork	
and Pleasant Grove, under the derection of the Terri-	
torial Road Commissioner, one thousand dollars	1000 00
To pay Deseret News Office balance due for printing	
military books, three hundred and twenty-nine dol-	
lars at d twenty-five cents	329 25
To be drawn on the order of the President and Directors	
of the Kaysville Wagon Road Company in full for all	
receipts, title and inferest said company have in said	
u road; provided it shall be transferred to the Territory,	
as contemplated in section 4 of said act; said transfer	*
to be received by the Auditor and filed in his office,	. '-
one thousand dollars	1000-00
To extend the Provo Cañon road from Heber City to in-	د اد
tersect the Wasatch Wagon Road, six hundred dollars	600 00
To Edmund Ellsworth, in full for his right, title and	
interest in a bridge acro-s Weber river, near Plain	
City, in Weber County: provided he shall transfer all	
right, title and interest he may have, to the Territory	
and file the transfer with the Auditor of Public Ac-	
counts: provided furthermore that he shall collect it	
from the delinquent taxes now due from the tax pay-	
ers in Slaterville, Plain City and West Weber, three	1 5. 5 1 V. 1
hundred and eighty-five dollars	385 00
For changing, working and improving the road be-	

tween Kannarra and Harrisburg, the sum of one thousand dollars, to be expended under the direction of	7.0
Erastus Snow	1000 00
To Hosea Stout for services rendered, thirteen dollars	13 00
For one book for Legislature, twelve dollars	12 00
For the relief of the family of the late Major John	
Vance, five hundred dollars	500 00
Approved Feb. 21, 1868.	9

#### CHAPTER XXVIII.

An ACT amending the Charters of the Incorporated Cities in the Territory of Utah.

SEC. 1.—Be it enacted by the Governor and Legislative Assembly of the Territory of Utah: That no part of the charters of the incorporated cities in this Territory shall be construed to authorize a City Council to in any way license or tax any kind of gambling, either for money or other property, or to license or tax houses of ill fame, bawdy or other disorderly houses or places, but they shall prohibit and abate all such acts, houses and places as they are herein forbidden to tax or license.

Sec. 2.—All laws or parts of laws conflicting with this Act are

hereby repealed.

Approved Feb. 21, 1868.

#### CHAPTER XXIX.

An 'ACT amending "An Act granting to Henry S. Alexander the right to establish a toll bridge or bridges on Weber River, in Summit County."

SEC. 1.—Be it enacted by the Governor and Legislative Assembly of the Territory of Utah: That "An Act granting to Henry S. Alexander the right to establish a toll bridge or bridges on Weber River, in Summit County," "approved Jan. 18, 1867," is hereby amended as follows:

In section one, instead of \$1 00 read 50 cents 1 50 " 75 199 1 2 00 44 1 00 1 Jenn 114 11 40 " ... . 75 25 " 10 25 " 11 10 10 66 05 " 25 "

And a list of the foregoing rates of toll must be kept posted up at the toll gate, instead of at the ends of the bridge or bridges; and every obstruction to the fording of said river is hereby prohibited, as also taking toll from those who do ford it.

SEC. 2.—Such portions of the Act, to which this is amendatory,

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as conflict with this Act, are hereby repealed.

Approved Feb. 21, 1868.

#### CHAPTER XXX.

An ACT to provide for printing and distributing the Laws and Journals of the Seventeenth Annual Session of the Legislative Assembly.

SEC. 1.—Be it enacted by the Governor and Legislative Assembly of the Territory of Utah: That the Public Printer is hereby authorized to print and publish in book form three thousand (3,000) copies of the Acts, Resolutions and Memorials passed and adopted during this Seventeenth Annual Session of said Assembly, with index; and five hundred (500) copies of the Journals in pamphlet form, including the Governor's Message and reports of the Treasurer, Auditor, Superintendent of Schools, and Directors of the Penitentiary and reports of the Directors of the Agricultural Society, together with such other documents as have been ordered placed on the Journals, and the Secretary of the Territory is hereby required to distribute the same in the manner prescribed in "An Act to provide for printing the Laws and Journals," "approved Jan. 19, 1866."

Approved Feb. 21, 1868.

#### CHAPTER XXXI.

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An ACT to amend "An Act creating the office of Selectmen and prescribing their duties, also the duties of the County Courts."

Be it enacted by the Governor and Legislative Assembly of the Territory of Utah: That section six of "An Act creating the office of Selectmen and prescribing their duties, also the duties of County Courts," "approved Jan 8, 1866," is hereby amended by adding, after the last word "office" in said sixth section, the words following: And shall also cause a copy thereof to be annually furnished to the Legislative Assembly of this Territory during the first two weeks of its session.

Approved Feb. 21, 1868.

## de didide di la CHAPTER XXXII.

An ACT to provide for convening the Eighteenth and subsequent Annual Sessions of the Legislative Assembly.

SEC. 1.—Be it enacted by the Governor and Legislative Assembly of the Territory of Utah: That the next Annual Session of the Legislative Assembly shall convene in the City Hall, in Salt Lake City; and said session shall begin at ten o'clock a.m. of the second Monday in January, one thousand eight hundred and sixty-nine, and annually thereafter.

SEC. 2.—"An Act to provide for convening the Seventeenth and subsequent Annual Sessions of the Legislative Assembly," "ap-

proved Jan. 8, 1867," is hereby repealed.

Approved February 21st, 1863.

# RESOLUTIONS.

### CHAPTER XXXIII, while the land

A Joint Resolution in relation to Indian Spoilations.

Resolved by the Governor and Legislative Assembly of the Territory of Utah: That the Adjutant-General is hereby authorized and required to collect through military officers or other vise, and file in his office all bills properly verified before any Notary Public or clerk of a court of record, of losses sustained by citizens of this Territory, through Indian depredations since the year 1860, and make out a list of the same and report to the next Legislative Assembly.

Approved Jan. 27, 1868.

#### CHAPTER XXXIV.

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A Resolution authorizing the relocation of the Territorial Road leading from Pleasant Grove City through the city of Provo, in Utah County

Be it resolved by the Governor and Legislative Assembly of the Territory of Utah: That the Territorial Road Commissioner is hereby authorized to relocate that portion of the Territorial Road leading from Pleasant Grove City through the city of Provo, in Utah County, crossing the Provo River at the most convenient point above the present crossing, for building a bridge across said stream.

A PARTY OF

Approved Feb. 18, 1868.

#### CHAPTER XXXV.

Resolution in relation to Remitting Certain Taxes.

SEC. 1.—Be it resolved by the Governor and Legislative	Assema
bly of the Territory of Utah: That the following amounts	be re-
mitted and appropriated as hereinafter specified, to wit:-	DC 10-
	264 11
To Thomas E. Ricks of Cache County, for the years of	201 11
	3342 75
To Andrew Q. Blodget, of Tooele County, for the years of	9013 10
1856 7	121 92
To W. Lee, of Tooele County, for 1859.	21 30
To David Candland, of Sanpete County, for the years of	21 30
1863 4	543 61
To John Boyden, of Morgan County, for 1865	117 60
To Richard Benson, of Iron County, for 1863.	42 91
To Samuel H. B. Smith, of Rich County, for the years of	45 31
1865 6	123 53
Sec. 2—That the sum of two hundred and ninety-	120 00
seven dollars of the Territorial taxes of Rich County	
for 1867, be and the same is hereby appropriated to	1. 11
make up the deficiency of the appropriation made for	
Richland County in 1867	007 00
Al-o the sum of one hundred and sixty-three dollars and	297 00
thirty-even cents of the Territorial taxes of Rich Co.,	
for 1867, be appropriated to be laid out under the direc-	
tion of the County Court of said County, on the road	
leading from Huntsville to Bear Lake, and to reim-	
burse Joseph C. Rich for means by him furnished on	100.00
said road	163 37
SEC. 3.—Be it further resolved, that the Auditor of Pub	ne Ac-
counts is hereby authorized to settle with B. K. Bullock,	
Allred, W. G. Baker, and the Assessor and Collector of	r Piute'

counts is hereby authorized to settle with B. K. Bullock, R. A. Allred, W. G. Baker, and the Assessor and Collector of Piute County, in relation to delinquent taxes, and make such remittances as he in his judgment may think best.

Approved, February 21, 1868.

#### CHAPTER XXXVI.

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Resolution authorizing the removal of the Utah Library to the City Hall.

Be it resolved by the Governor and Legislative Assembly of the Territory of Utah: That the Librarian of the Utah Library is hereby authorized and required to contract with the corporate authorities of Sali Lake City for a room in the City Hall, prepare the same for the reception of and remove the Utah Library thereto, and put the same in complete order at as early a day as practicable; and the

sum of five hundred dollars, or so much thereof as may be necessary, is hereby appropriated out of the Territorial Treasury to defray the expenses thereof.

Approved Feb. 21, 1868.

# MEMORIALS.

## ... CHAPTER XXXVII.

To the Hon, the Senate and House of Representatives of the United States in Congress assembled:

Gentlemen:-Your Memorialists, the Governor and Legislative Assembly of the Territory of Utah, respectfully represent that, that portion of the public domain belonging to the United States embraced within said Territory, having been settled over twenty years, still remains without a Land Office. Your Memorialists therefore very respectfully ask your Honorable Body to establish a Land Office in this Territory, that thereby valid titles may be secured to the land claims and improvements of the settlers, and as in duty bound your Memorialists will ever pray. Approved Jan. 27, 1868.

## ---:o:-----<sub>1</sub> CHAPTER XXXVIII.

Memorial to Congress for an appropriation to pay for certain public printing.

To the Hon. the Senate and House of Representatives of the United States in Congress assembled:

Gentlemen:-Your Memorialists, the Governor and Legislative Assembly of the Territory of Utah, respectfully represent that, in pursuance of Legislative enactment, the Public Printer for the session of 1854-5 printed an edition of the laws embodying all in force at that date, a work of much convenience and utility, which was paid for by the then Secretary of this Territory and his account audited and allowed by the proper department in Washington, without discriminating between the portion then printed for the first time and that which was a reprint.

The laws of each subsequent session being comparatively few in number, many of them amendatory, mostly published in pamphlet form, inconvenient for reference, and many of the editions out of print, the Legislative Assembly at its annual session in 1865-6, after ten of those small and amendatory editions had been published, and many of them as already stated, out of print, enacted as follows: "That the Public Printer for this Legislative Assembly is

hereby authorized and required to print and publish in book form, three thousand copies of the Digest of Laws as prepared and reported by the Joint Committee on Revision and Compilation, together with the Acts, Resolutions and Memorials passed and adopted during this Fifteenth Annual Session of said Assembly, with Index."

The Public Printer complied with the foregoing enactment in good faith, and presented his account therefor at as reasonable rates as the cost of labor and material here would permit, but the then Secretary, the Hon. Amos Reed, did not feel authorized to make any payments, and therefore did not make any, only upon the amount charged for the current printing of said Fifteenth Session, under a view that the Digest of Laws was a reprint, for the payment of which his instructions did not provide. Thus the matter rested until the session of 1866-7 when the Assembly, learning that the Public Printer had been embarrassed by complying with their requirement as afore named, enacted in the Territorial Appropria-Bill as follows: "To Henry McEwan, Public Printer for the Legislative Assembly of the Territory of Utah, Fifteenth Annual Session in the years 1865 6, for printing and publishing in book form three thousand copies of the Digest of Laws as prepared by the Joint Committee on Revision and Compilation, and the 'Forms' ordered to be printed and published therewith, until such time as said sum is paid by the Secretary of the Territory of Utah to the aforesaid Public Printer, when it shall be by him refunded to the Territorial Treasury, \$9,272 00."

That sum has been paid by the Territorial Treasurer in compliance with said appropriation; now, therefore, your Memorialists as aforesaid, deeming it to be the intent of Congress to defray the expenses of all public printing legitimately ordered by the Legislative Assemblies of the Territories, so far as the charges therefor are found correct and just, and further representing that the printing of the aforesaid "Digest of Laws" and accompanying "Forms" were absolutely necessary and that the amount charged therefor is correct and reasonable, do respectfully solicit your Honorable Body to take such action upon this matter as will enable and require the Honorable Secretary for the Territory of Utah to pay to the aforesaid Henry McEwau, Public Printer as aforesaid, the sum of nine thousand two hundred and seventy two dollars, and as in duty bound your Memorialists will eyer pray.

Approved Feb. 20, 1868.

#### CHAPTER XXXIX.

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Memorial to Congress praying for an appropriation to defray the expenses of the late Indian War in Utah Territory.

To the Honorable the Senate and House of Representatives of the United States in Congress assembled:

Gentlemen:-Your Memorialists, the Governor and Legislative

Assembly of the Territory of Utah, would most respectfully represent to your Honorable Body, that for the last three years, we have had a vexation. Indian War on our hands, the seat of which has been in Sevier, Piute and Sanpete Counties, extending more or less to the Counties of Wasatch, Utah, Millard, Beaver, Iron, Washington and Kane, rendering a strong military force constantly necessary in the field. Colonel Irish, former Superintendent of Indian affairs, called on General Connor to protect the settlements of this Territory from Indian depredations; the General replied, that if those depredations were committed upon any settlements remote from the mail line, he could not do it. Colonel Head, present Superintendent of Indian affairs, called on Colonel Potter to protect the settlements of this Territory where Indian hostilities existed. Colonel Potter sent east for instructions in the case, and received answer from General Sherman that we must rely on the Militia of the Territory. During this war, Sevier and Piute Connties were abandoned by six extensive and flourishing settlements, it being considered impracticable to defend them there. Their removal was effected at the loss of nearly all they had, their stock and teams, being mostly stolen and driven away by the Indians and they were removed by the citizens of Sanpete County. Likewise four settlements on the borders of Sanpete County were broken up and removed at much expense and loss. Also fifteen settlements in Iron, Kane and Washington Counties, besides two or three small settlements in Wasatch County. In this war we have furnished our own soldiers, arms, ammunition, trasportation, cavalry hor-es and supplies for the years 1865-6 and 7. We have borne a heavy burthen and we a-k for compensation and aid, as most of our citizens at and near the seat of this war have become greatly reduced and impoverished thereby, and likewise the other settlements that have had to remove are more or less so. We therefore ask your Honorable Body to appropriate one million and five hundred thousand dollars to compensate the citizens for their service, transportation and supplies in suppressing Indian hostilities in the Territory of Utah during the years before named, or so much thereof as will cover these expenses as per vouchers and testimonies now in the Adjutant General's office, which will accompany this our Memorial, or follow it at an early day, and your Memorialists, as induty bound, will ever pray. Approved Feb. 21, 1868.

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